



BILL

An Act for the Protection of the Children of Unmarried Parents.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Preliminary.

1. This Act may be cited as *The Children of Unmarried Parents Act, 1921.* Short title.

2. *The Illegitimate Children's Act*, being chapter 154 of the Revised Statutes of Ontario, 1914, is repealed. Rev. Stat.,
c. 154,
repealed.

3. In this Act,—

Interpreta-
tion.

(a) "Provincial Officer" shall mean an officer in the public service designated for that purpose by the Lieutenant-Governor in Council; "Provincial
Officer."

(b) "Regulations" shall mean regulations made under the authority of this Act. "Regula-
tions."

Provincial Officer—Duties and Powers.

4. The Lieutenant-Governor in Council may appoint such officers, clerks and servants and may employ such other assistance as he may deem necessary for the administration and enforcement of this Act, and may designate any of such officers a provincial officer for the purposes of this Act. Appoint-
ment of
officers,
clerks, etc.

5. The expenses of the administration of this Act shall be borne and paid out of such sums as may be appropriated by the Legislature for that purpose. Expenses—
how paid.

6. The Deputy Registrar-General shall notify the provincial officer of the birth of every child born out of wedlock registered under *The Vital Statistics Act* and every birth registered under the said Act in such a manner as to suggest Provincial
officer to be
notified of
registration
of all births
out of
wedlock.

that the parents are unmarried or unknown, with such particulars as may be directed by the regulations.

Provincial
officer to
make in-
vestigations.

7. It shall be the duty of the provincial officer by inquiry through children's aid societies and the returns furnished by the Deputy Registrar-General to obtain all information possible with respect to every child born out of wedlock, and the provincial officer shall take such proceedings and do all such things as are permitted or required under this Act as may seem to him advisable in the interest of such child.

Restrictions
as to.

8. Nothing in this Act contained shall require the provincial officer to interfere with the care and maintenance of any child born out of wedlock,—

(a) Where such child has been adopted according to the provisions of *The Adoption Act*; or

(b) Where such child is being cared for voluntarily by a person or persons whom the provincial officer deems suitable to have the charge of such child.

Unmarried
mother may
apply to
provincial
officer
for advice.

9. The mother of a child born out of wedlock or of a child who is likely to be born out of wedlock may apply to the provincial officer for advice and protection in any matter connected with such child or with the birth of such child, and the provincial officer shall take such action as may seem to him advisable in the interest of such mother and child.

Provincial
officer
may be
appointed
guardian
either alone
or jointly.

10. The provincial officer may upon his own application be appointed guardian of a child born out of wedlock either alone or jointly with the mother of such child.

Neglected
child.

11. Where the father of a child born out of wedlock cannot be found or where adequate means of support cannot be provided by such father and the mother is dead, or is absent, or through lack of means is unable, or through misconduct is unfit to have the care of such child, the child may, with the consent of the provincial officer be dealt with as a "neglected child" within the meaning of *The Children's Protection Act* and shall be maintained in accordance with the provisions of that Act.

Regulations.

12. The Lieutenant-Governor in Council may make regulations,—

(a) Respecting the procedure to be followed upon an application for an order of affiliation;

- (b) For fixing the fees, costs, charges and expenses payable on proceedings under this Act and for dispensing with the payment of such fees, costs, charges and expenses where owing to lack of means or any other reason the Judge deems such action advisable;
- (c) For the payment of the expenses of the provincial officer in carrying out the provisions of this Act out of such sums as may be appropriated by the Legislature for that purpose;
- (d) For designating a provincial officer, and for the appointment of local and other assistants to the provincial officer, and for authorizing any such assistants to act for and in the place of the provincial officer;
- (e) Generally for the better carrying out of the provisions of this Act.

. PART II.

AFFILIATION ORDER.

13. An application to the Judge, the Junior or Acting Judge of a county or district court for an affiliation order may be made,— Application to county or district court judge.

- (a) By the mother of a child born out of wedlock; or, Who may make application.
- (b) By an unmarried woman pregnant with a child; or,
- (c) By the next friend or guardian of a child born out of wedlock; or
- (d) By any person who has supplied medical attendance or nursing or hospital accommodation to an unmarried woman during pregnancy or confinement; or
- (e) By a person who has the custody of a child born out of wedlock or who has undertaken the care and education of such child or who has supplied such child with necessities; or
- (f) By any person who has incurred the funeral expenses of an unmarried mother or of a child born out of wedlock; or
- (g) By the provincial officer.

Limit of
time for
application.

14. An affiliation order shall not be made under this Act unless the application therefor was made,—

- (a) Within one year after the birth of the child; or
- (b) Within one year after the doing of any act on the part of the putative father which affords evidence of acknowledgment of paternity; or
- (c) Within one year after the return to Ontario of the putative father where he has been absent from Ontario at the expiration of the period of one year from the birth of the child.

Appoint-
ment for
hearing.

15. The Judge shall, upon application, appoint in writing a time and place at which he will inquire and determine whether the person said to be the father of the child is in fact the father of such child.

Service of
appoint-
ment.

16. Notice in writing of the time and place appointed shall be served personally or in such other manner as the Judge may direct upon the person said to be the father of the child at least three days before the day so appointed.

Proceedings
in default of
appearance.

17. If at the time and place appointed the person so served fails to appear or show sufficient reason for not attending, the Judge, in the absence of such person and upon sufficient evidence being adduced before him, may make such affiliation order or other order as he may deem just.

In case of
appearance.

18. Where the person so served appears in pursuance of such notice, the Judge may hear and determine the matter in a summary manner and upon sufficient evidence being adduced before him may make an order declaring the person named therein to be the father of the child and requiring the father to pay to the provincial officer,—

Liability of
father—
extent of.

- (a) The reasonable expenses for the maintenance and care, medical or otherwise, of the mother of such child during the three months next preceding the birth of the child, at the birth, and during such period after the birth as may in the opinion of the Judge have been or be necessary in connection with, or as a consequence of, the birth of such child, taking into consideration the circumstances of the case and the report of the medical officer of health of the municipality;
- (b) A sum of money weekly towards the maintenance of the child until the child attains the age of

sixteen years, or a lump sum in lieu of such weekly payments which shall form a principal consuming annuity, the income from which shall be equivalent to the order for weekly maintenance by the court, the balance of which, in the event of the death of the child before the age of sixteen years, shall revert to the Province unless otherwise ordered by the court;

(c) The expenses of the burial of the mother in case of her death at or in consequence of the birth of the child;

(d) The expenses of the burial of the child if he dies before the making of the affiliation order.

(2) In estimating the sums payable by the father under this section, the Judge shall take into consideration the ability to provide, and the prospective means of such father. Means of father to be considered.

19. The Judge may in his discretion upon the same or a like application order that the mother of a child born out of wedlock shall contribute a weekly sum of money towards the maintenance of the child until such child reaches the age of sixteen years, or the Judge may make such other order in respect of the care and custody of the child during that period as he may deem just. Liability of mother for maintenance of child.

20. The Judge shall fix such sums for maintenance as shall enable the child to maintain a reasonable standard of life, and the Judge shall be governed in his findings by the consideration of what the child would have enjoyed had he been born to his parents in lawful wedlock. Amount of maintenance—how fixed.

21. Where any one of two or more persons may be the possible father of a child born out of wedlock or of a child who is likely to be born out of wedlock, the Judge may by order fix an amount to be payable by each of such two or more persons provided that each of such persons shall be liable for the whole amount in default of payment by one or more of them. Joint contribution—under what circumstances.

22. The Judge shall have the power from time to time to vary the affiliation order on the application of the provincial officer, or of the child, or of the parents, or of any other person or persons with the consent of the provincial officer, and upon proof that the means of the father against whom an affiliation order has been made have been increased or reduced in amount since the making of the original order, or any subsequent order varying it. Varying order.

How order
may be
enforced.

23. Every order or judgment given under the authority of this Act may be enforced in the same manner and by the like proceedings as any order or judgment in an ordinary action in such court.

Security.

24. Where an order of affiliation is made by virtue of this Act the Judge may require the father against whom such order is made to give such security for the performance of the order in such manner as the Judge may direct, and on failure to give such security such father may be committed for contempt.

Putative
father as
witness.

25. The putative father summoned under the provisions of this Act may, in the discretion of the Judge, be detained as a material witness.

Evidence.

26. No order of affiliation shall be made at the instance of the mother of a child born out of wedlock or of a child who is likely to be born out of wedlock, unless her evidence is corroborated by some other evidence, but subject thereto proof of paternity may be established under this Act upon said evidence as the Judge deems sufficient.

Proceedings
to be heard
by judge in
chambers.

27. All proceedings under this Act shall be heard by the Judge in his chambers and not in open court.

Notice to be
given to
provincial
officer.

28. Notice shall be given to the provincial officer in all proceedings instituted under the authority of this Act, and he shall have the right to appear and intervene and be heard in person or by counsel on any such proceedings.

Payments to
be made to
provincial
officer.

29. All payments ordered by the Judge to be made in accordance with the provisions of this Act shall be made to the provincial officer or as he may direct.

Order for
payment;
enforcing.

30.—(1) It shall be the duty of the provincial officer to see that payments directed to be made under this Act by a person named in an affiliation order, as the father of a child born or likely to be born out of wedlock, are duly made, and upon default in any such payment the provincial officer may apply to the Judge who shall have power upon such application to make an order,—

By for-
feiture of
security.

(a) Forfeiting any recognizance or other security given by the father and directing that the proceeds of any such security shall be applied by the provincial officer in making the payments ordered to be made by the father; or

- (b) Summoning the father to attend before him to show cause why he should not be committed to the common gaol for non-compliance with the affiliation order. Summons may be issued where default in payment.

(2) Where the father fails to attend in obedience to an order made under the authority of clause (b) of the preceding subsection, or upon his attending, fails to show cause why he has not complied with such order, or that his failure to comply therewith is due to circumstances beyond his control, the Judge may order him to be committed to the common gaol of the county or district for a period of not more than six months unless the sums in respect of which he is in default are sooner paid. Committal where default in payment.

31. The provincial officer shall not be debarred from instituting or continuing proceedings under this Act by the death of the mother of the child born out of wedlock for whom relief is sought. Death of mother not a bar to proceedings.

32. Where an affiliation order has been made against the father of a child born or likely to be born out of wedlock, such order shall bind the estate of such father after his death and any sums ordered to be paid under this Act shall be a debt due from and chargeable upon the estate of the father and recoverable at the suit of the provincial officer. Affiliation order shall bind estate of father.

33.—(1) Any agreement between the mother and the putative father of a child born or likely to be born out of wedlock and any agreement entered into between such father and any other person relating to any matters coming within the provisions of this Act with regard to the maintenance and support of such mother or child, shall require the approval in writing of the provincial officer, and a copy of every such agreement shall be recorded with the provincial officer. Agreement between putative father and mother of child as to maintenance of child requires approval in writing of provincial officer.

(2) Any agreement coming within subsection 1 of this section, entered into without the approval of the provincial officer, shall be voidable at the instance of the provincial officer. Agreement voidable—under what circumstances.

34.—(1) Where the putative father admits the paternity of the child and makes an adequate offer to provide for the maintenance and education of the child, he may enter into an agreement, in accordance with the terms of such offer, with the provincial officer. Agreement between father and provincial officer.

(2) Upon failure on the part of the putative father to comply with the terms of such agreement, the provincial officer may apply to the Judge for an affiliation order, and such agreement shall be sufficient proof of paternity. Failure of father to carry out agreement.

PART III.

LIABILITY OF FATHER OF CHILD BORN OUT OF WEDLOCK.

To what extent father liable for contribution.

35. The father of every child born out of wedlock shall be liable to contribute.—

(a) To any or all expenses as set out in clauses (a) and (c) of section 18;

(b) The funeral expenses of the child if he dies before reaching the age of sixteen years;

(c) To any expenses incurred by any person who furnishes food, clothing, lodging or other necessities to any child born out of wedlock if the child was under the age of sixteen years at the time the necessities were furnished.

Who may bring action.

36.—(1) An action may be brought for such contribution against the putative father of a child born out of wedlock by the mother of the child or by the father or mother of the mother of the child, or by the provincial officer or by any other person, society or corporation having maintained such child or having expended money or rendered service in connection with any of the matters for which the father is declared in the preceding section to be liable.

Notice to provincial officer.

(2) Where an action is brought under this Part by any person other than the provincial officer, notice thereof shall be given to the provincial officer.

In what court.

37. Any such action may be brought in a county or district court or in the Supreme Court at the option of the plaintiff provided the amount claimed is within the jurisdiction of the court in which the action is brought.

Proportion for which father liable.

38. The Judge trying the case shall decide in view of the circumstances of both parents, what proportion of the reasonable and necessary charges and expenses in connection with any of the matters for which the putative father is declared in this Act to be liable, shall be paid by the father or may, if he deems just so to do, order the father to pay the whole.

Order under this Part may provide for future payments.

39. If such action is brought by the mother of the child or by her father or mother, or by the provincial officer or by any person having the care and custody of the child, the Judge may make an order to provide for the further maintenance and education of such child and requiring the putative father to pay in addition to other sums ordered to be

paid, a sum of money weekly for such a period as may be specified by the Judge.

40.—(1) This Part shall not apply where the father of the child has fulfilled the terms of any order of affiliation made against him in respect of the same child or of any agreement made with the approval of the provincial officer.

Where father has fulfilled terms of order or agreement.

(2) If the terms of any such order or agreement have not been fulfilled the Judge, in giving judgment in an action under this Part, shall take into consideration any payments made under such order.

Where terms of order or agreement partially fulfilled.

(3) In any such action an order of affiliation shall be sufficient evidence of the paternity of the child.

Order of affiliation, evidence of paternity.

41. No action shall be brought against the putative father of a child born out of wedlock under this Part except within the time during which an affiliation order might have been obtained as provided by section 14.

Limit of time for institution of action.

42. This Act shall not take away or abridge any right of action or remedy which, without this Act, might have been maintained against the father of a child born out of wedlock.

Saving.

43. This Act shall come into force on the 1st day of July, A.D. 1921.

Commencement of Act.

No. 109.

2nd Session, 15th Legislature.
11 George V, 1921.

BILL.

An Act for the Protection of the Children
of Unmarried Parents.

1st Reading,	17th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

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An Act for the Protection of the Children of Unmarried Parents.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



Preliminary.

1. This Act may be cited as *The Children of Unmarried Parents Act, 1921.* Short title.

2. *The Illegitimate Children's Act*, being chapter 154 of the Revised Statutes of Ontario, 1914, is repealed. Rev. Stat.,
c. 154,
repealed.

3. In this Act,—

Interpreta-
tion.

 (a) "Judge" shall mean judge, or junior or acting judge of the county or district court and shall include a police magistrate and a judge of the juvenile court where such police magistrate or judge of the juvenile court has been designated by the Lieutenant-Governor in Council a judge within the meaning of this Act. 

(b) "Provincial Officer" shall mean an officer in the public service designated for that purpose by the Lieutenant-Governor in Council; "Provincial
Officer."

(c) "Regulations" shall mean regulations made under the authority of this Act. "Regula-
tions."

Provincial Officer—Duties and Powers.

4. The Lieutenant-Governor in Council may appoint such officers, clerks and servants and may employ such other assistance as he may deem necessary for the administration and enforcement of this Act, and may designate any of such officers a provincial officer for the purposes of this Act. Appoint-
ment of
officers,
clerks, etc.

Expenses—
how paid.

5. The expenses of the administration of this Act shall be borne and paid out of such sums as may be appropriated by the Legislature for that purpose.

Provincial
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6. The *Division Registrar and the Deputy Registrar-General* shall notify the provincial officer of the birth of every child born out of wedlock registered under *The Vital Statistics Act* and every birth registered under the said Act in such a manner as to suggest that the parents are unmarried or unknown, with such particulars as may be directed by the regulations.

Provincial
officer to
make in-
vestigations.

7. It shall be the duty of the provincial officer by inquiry through children's aid societies and the returns furnished by the division registrar or Deputy Registrar-General to obtain all information possible with respect to every child born out of wedlock, and the provincial officer shall take such proceedings and do all such things as are permitted or required under this Act as may seem to him advisable in the interest of such child.

Restrictions
as to.

8. Nothing in this Act contained shall require the provincial officer to interfere with the care and maintenance of any child born out of wedlock,—

(a) Where such child has been adopted according to the provisions of *The Adoption Act*; or

(b) Where such child is being cared for voluntarily by a person or persons whom the provincial officer deems suitable to have the charge of such child.

Unmarried
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9. The mother of a child born out of wedlock or of a child who is likely to be born out of wedlock may apply to the provincial officer for advice and protection in any matter connected with such child or with the birth of such child, and the provincial officer shall take such action as may seem to him advisable in the interest of such mother and child.

Provincial
officer
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appointed
guardian
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Neglected
child.

10. The provincial officer may upon his own application be appointed guardian of a child born out of wedlock either alone or jointly with the mother of such child.

11. Where the father of a child born out of wedlock cannot be found or where adequate means of support cannot be provided by such father and the mother is dead, or is absent, or through lack of means is unable, or through misconduct is unfit to have the care of such child, the child may, with the consent of the provincial officer be dealt with as a

"neglected child" within the meaning of *The Children's Protection Act* and shall be maintained in accordance with the provisions of that Act.

12. The Lieutenant-Governor in Council may make regulations,—

- (a) Respecting the procedure to be followed upon an application for an order of affiliation;
- (b) For fixing the fees, costs, charges and expenses payable on proceedings under this Act and for dispensing with the payment of such fees, costs, charges and expenses where owing to lack of means or any other reason the Judge deems such action advisable;
- (c) For the payment of the expenses of the provincial officer in carrying out the provisions of this Act out of such sums as may be appropriated by the Legislature for that purpose;
- (d) For designating a provincial officer, and for the appointment of local and other assistants to the provincial officer, and for authorizing any such assistants to act for and in the place of the provincial officer;
- (e) Generally for the better carrying out of the provisions of this Act.

PART II.

AFFILIATION ORDER.

13. An application to the Judge for an affiliation order may be made,—



- (a) By the mother of a child born out of wedlock; or,
- (b) By an unmarried woman pregnant with a child; or,
- (c) By the next friend or guardian of a child born out of wedlock; or
- (d) By any person who has supplied medical attendance or nursing or hospital accommodation to an unmarried woman during pregnancy or confinement; or

Application to county or district court judge.

Who may make application.

- (e) By a person who has the custody of a child born out of wedlock or who has undertaken the care and education of such child or who has supplied such child with necessities; or
- (f) By any person who has incurred the funeral expenses of an unmarried mother or of a child born out of wedlock; or
- (g) By the provincial officer.

Limit of
time for
application.

14. An affiliation order shall not be made under this Act unless the application therefor is made  within the lifetime of the father and .

- (a) Within one year after the birth of the child; or
- (b) Within one year after the doing of any act on the part of the putative father which affords evidence of acknowledgment of paternity; or
- (c) Within one year after the return to Ontario of the putative father where he has been absent from Ontario at the expiration of the period of one year from the birth of the child.

Appoint-
ment for
hearing.

15. The Judge shall, upon application, appoint in writing a time and place at which he will inquire and determine whether the person said to be the father of the child is in fact the father of such child.

Service of
appoint-
ment.

16. Notice in writing of the time and place appointed shall be served personally or in such other manner as the Judge may direct upon the person said to be the father of the child at least three days before the day so appointed.

Proceedings
in default of
appearance.

17. If at the time and place appointed the person so served fails to appear or show sufficient reason for not attending, the Judge, in the absence of such person and upon sufficient evidence being adduced before him, may make such affiliation order or other order as he may deem just.

In case of
appearance.

18. Where the person so served appears in pursuance of such notice, the Judge may hear and determine the matter in a summary manner and upon sufficient evidence being adduced before him may make an order declaring the person named therein to be the father of the child and requiring the father to pay to the provincial officer,—

Liability of
father—
extent of.

- (a) The reasonable expenses for the maintenance and care, medical or otherwise, of the mother of such

child during the three months next preceding the birth of the child, at the birth, and during such period after the birth as may in the opinion of the Judge have been or be necessary in connection with, or as a consequence of, the birth of such child, taking into consideration the circumstances of the case and the report of the medical officer of health of the municipality;

- (b) A sum of money weekly towards the maintenance of the child until the child attains the age of sixteen years, or a lump sum in lieu of such weekly payments which shall form a principal consuming annuity, the income from which shall be equivalent to the order for weekly maintenance by the court, the balance of which, in the event of the death of the child before the age of sixteen years, shall revert to the Province unless otherwise ordered by the court;
- (c) The expenses of the burial of the mother in case of her death at or in consequence of the birth of the child;
- (d) The expenses of the burial of the child if he dies before the making of the affiliation order.

(2) In estimating the sums payable by the father under this section, the Judge shall take into consideration the ability to provide, and the prospective means of such father. Means of father to be considered.

19. The Judge may in his discretion upon the same or a like application order that the mother of a child born out of wedlock shall contribute a weekly sum of money towards the maintenance of the child until such child reaches the age of sixteen years, or the Judge may make such other order in respect of the care and custody of the child during that period as he may deem just. Liability of mother for maintenance of child.

20. The Judge shall fix such sums for maintenance as shall enable the child to maintain a reasonable standard of life, and the Judge shall be governed in his findings by the consideration of what the child would have enjoyed had he been born to his parents in lawful wedlock. Amount of maintenance—how fixed.

21. The Judge shall have the power from time to time to vary the affiliation order on the application of the provincial officer, or of the child, or of the parents, or of any other person or persons with the consent of the provincial officer, and upon proof that the means of the father against whom an affiliation order has been made have been increased or reduced in amount since the making of the original order, or any subsequent order varying it. Varying order.

How order
may be
enforced.

22. Every order or judgment given under the authority of this Act may be enforced in the same manner and by the like proceedings as any order or judgment in an ordinary action in such court.

Security.

23. Where an order of affiliation is made by virtue of this Act the Judge may require the father against whom such order is made to give such security for the performance of the order in such manner as the Judge may direct, and on failure to give such security such father may be committed for contempt.

Putative
father as
witness.

24. The putative father summoned under the provisions of this Act may, in the discretion of the Judge, be detained as a material witness.

Evidence.

25. No order of affiliation shall be made at the instance of the mother of a child born out of wedlock or of a child who is likely to be born out of wedlock, unless her evidence is corroborated by some other *material* evidence, but subject thereto proof of paternity may be established under this Act upon said evidence as the Judge deems sufficient.

Proceedings
to be heard
by judge in
chambers.

26. All proceedings under this Act shall be heard by the Judge in his chambers and not in open court.

Notice to be
given to
provincial
officer.

27. Notice shall be given to the provincial officer in all proceedings instituted under the authority of this Act, and he shall have the right to appear and intervene and be heard in person or by counsel on any such proceedings.

Payments to
be made to
provincial
officer.

28. All payments ordered by the Judge to be made in accordance with the provisions of this Act shall be made to the provincial officer or as he may direct.

Order for
payment;
enforcing.

29.—(1) It shall be the duty of the provincial officer to see that payments directed to be made under this Act by a person named in an affiliation order, as the father of a child born or likely to be born out of wedlock, are duly made, and upon default in any such payment the provincial officer may apply to the Judge who shall have power upon such application to make an order,—

By for-
feiture of
security.

(a) Forfeiting any recognizance or other security given by the father and directing that the proceeds of any such security shall be applied by the provincial officer in making the payments^a ordered to be made by the father; or

- (b) Summoning the father to attend before him to show cause why he should not be committed to the common gaol for non-compliance with the affiliation order.


Summons may be issued where default in payment.

(2) Where the father fails to attend in obedience to an order made under the authority of clause (b) of the preceding subsection, or upon his attending, fails to show cause why he has not complied with such order, or that his failure to comply therewith is due to circumstances beyond his control, the Judge may order him to be committed to the common gaol of the county or district for a period of not more than six months unless the sums in respect of which he is in default are sooner paid.


Committal where default in payment.

30. The provincial officer shall not be debarred from instituting or continuing proceedings under this Act by the death of the mother of the child born out of wedlock for whom relief is sought.

Death of mother not a bar to proceedings.

 **31.**—(1) Where an affiliation order has been made against the father of a child born or likely to be born out of wedlock, such order shall bind the estate of such father after his death and any sums payable thereunder shall be a debt due from and chargeable upon the estate of the father and recoverable at the suit of the provincial officer, but every affiliation order shall, as to any payment falling due before or after the father's death be subject to review as provided in section 21 and no action or other proceeding shall be taken thereon after the death of the father without the leave of the Judge, and the Judge before granting such leave shall direct that notice shall be given to the widow and legitimate children of the father and to all other persons interested in the estate.

Affiliation order shall bind estate of father.

(2) Where it appears to the Judge that the terms of the affiliation order cannot be carried out without depriving the widow or legitimate children of the father of necessary maintenance, he shall vary the affiliation order to such an extent and in such manner that the widow of the father and his children born in wedlock, if any, shall be duly provided for before the child or children born out of wedlock. 

32.—(1) Any agreement between the mother and the putative father of a child born or likely to be born out of wedlock and any agreement entered into between such father and any other person relating to any matters coming within the provisions of this Act with regard to the maintenance and support of such mother or child, shall require the approval

Agreement between putative father and mother of child as to maintenance of child requires approval in writing of provincial officer.

in writing of the *Judge*, and a copy of every such agreement shall be recorded with the provincial officer.

Agreement
voidable—
under what
circum-
stances.

(2) Any agreement coming within subsection 1 of this section, entered into without the approval of the *Judge*, shall be voidable at the instance of the provincial officer.

Agreement
between
father and
provincial
officer.

33.—(1) Where the putative father admits the paternity of the child and makes an adequate offer to provide for the maintenance and education of the child, he may enter into an agreement, in accordance with the terms of such offer, with the provincial officer.



Failure of
father to
carry out
agreement.

(2) Upon failure on the part of the putative father to comply with the terms of such agreement, the provincial officer may apply to the *Judge* for an affiliation order, and such agreement shall be sufficient proof of paternity.

PART III.

LIABILITY OF FATHER OF CHILD BORN OUT OF WEDLOCK.

To what ex-
tent father
liable for
contribution.

 **34.** The person declared under the provisions of this Act to be the father of a child born out of wedlock shall be liable to contribute—

(a) To any or all expenses as set out in clauses (a) and (c) of section 18;

(b) The funeral expenses of the child if he dies before reaching the age of sixteen years;

(c) To any expenses incurred by any person who furnishes food, clothing, lodging or other necessities to any child born out of wedlock if the child was under the age of sixteen years at the time the necessities were furnished.

Who may
bring action.

35.—(1) An action may be brought for such contribution against the putative father of a child born out of wedlock by the mother of the child or by the father or mother of the mother of the child, or by the provincial officer or by any other person, society or corporation having maintained such child or having expended money or rendered service in connection with any of the matters for which the father is declared in the preceding section to be liable.

Notice to
provincial
officer.

(2) Where an action is brought under this Part by any person other than the provincial officer, notice thereof shall be given to the provincial officer.

In what
court.

36. Any such action may be brought in a county or district court.

37. The Judge trying the case shall decide in view of the circumstances of both parents, what proportion of the reasonable and necessary charges and expenses in connection with any of the matters for which the putative father is declared in this Act to be liable, shall be paid by the father or may, if he deems just so to do, order the father to pay the whole.

Proportion
for which
father liable.

38. If such action is brought by the mother of the child or by her father or mother, or by the provincial officer or by any person having the care and custody of the child, the Judge may make an order to provide for the further maintenance and education of such child and requiring the putative father to pay in addition to other sums ordered to be paid, a sum of money weekly for such a period as may be specified by the Judge.

Order under
this Part
may provide
for future
payments.

39.—(1) Part III of this Act shall not apply where the father of the child has fulfilled the terms of any order of affiliation made against him in respect of the same child or of any agreement made with the approval of a Judge.

Where
father has
fulfilled
terms of
order or
agreement.

(2) If the terms of any such order or agreement have not been fulfilled the Judge, in giving judgment in an action under this Part, shall take into consideration any payments made under such order.

Where
terms of
order or
agreement
partially
fulfilled.

(3) In any such action an order of affiliation shall be sufficient evidence of the paternity of the child.

Order of
affiliation,
evidence of
paternity.

40. No action shall be brought against the putative father of a child born out of wedlock under Part III of this Act except within the time during which an affiliation order might have been obtained as provided by section 14.

Limit of
time for
institution
of action.

41. This Act shall not take away or abridge any right of action or remedy which, without this Act, might have been maintained against the father of a child born out of wedlock, but after the making of an affiliation order under this Act no action by the employer or parent of the woman shall be brought for her seduction except by leave of the Judge.

Saving.

42. This Act shall come into force on the 1st day of July, A.D. 1921.

Commence-
ment of Act.

No. 109.

2nd Session, 15th Legislature,
11 George V. 1921

BILL.

An Act for the Protection of the Children
of Unmarried Parents.

1st Reading, 17th February, 1921.
2nd Reading, 24th February, 1921.
3rd Reading, 1921

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. BANEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Cemeteries Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Cemeteries Amendment Act, 1921.* Short title.

2. *The Cemeteries Act* is amended by adding thereto the following section:— Rev. Stat., c. 261, amended.

10a.—(1) The Lieutenant-Governor in Council may designate an officer of the Provincial Board to act as inspector for the purposes of this Act. Who to act as inspector.

(2) It shall be the duty of the inspector and he shall have power, Duty of inspector.

(a) To visit and inspect cemeteries and when necessary for that purpose, to enter upon or pass over the lands of the owner or any other person;

(b) To see that the provisions of this Act are observed by the owners of cemeteries and to enforce their observance by prosecution and the penalties imposed by this Act;

(c) To call for and collect such statistical and other information as the Provincial Board may require, with regard to cemeteries and the care and management thereof;

(d) To see that the affairs of any cemetery, or of any cemetery company or trust or other body of persons owning a cemetery are conducted with due regard to their contractual

obligations to the lot owners and others interested in the cemetery, and for that purpose to have access to the books and accounts of any owner of a cemetery;

- (e) To report to the Provincial Board from time to time, upon the enforcement and administration of this Act;
- (f) To see that every cemetery is properly fenced, kept clear of weeds and otherwise cared for in a proper manner and in accordance with this Act and the regulations;
- (g) To see that the provisions of this Act and the regulations with regard to burials and disinterments and the transportation of dead bodies are duly complied with, and to take proceedings against any person contravening any of such provisions;
- (h) To exercise, when so directed by the Lieutenant-Governor in Council, the powers which may be conferred upon a commissioner under *The Public Inquiries Act* for the purpose of investigating and reporting upon the conditions of any cemetery, and the conduct of its affairs or those of any corporation or trust or individual being the owner or in control of a cemetery.

Rev. Stat.,
c. 18.

No. 110.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Cemeteries Act.

1st Reading,	17th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HENRY.

TORONTO:
PRINTED BY CLARRSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to incorporate the Town of Kapuskasing.

WHEREAS, pursuant to certain agreements between Preamble.
the Government and Spruce Falls Company, Limited, the company is engaged at Kapuskasing, in the Township of O'Brien, in the District of Temiskaming, and also in certain portions of the District of Algoma, in certain extensive operations concerning the manufacture of pulpwood, and has in course of erection extensive plants for the development of water powers in the Kapuskasing River and for the production of pulp, and is to erect a plant for the production of paper and already has in its employ a large number of men in connection therewith, which will be largely augmented as rapidly as the work can be proceeded with; and whereas housing and other accommodation is urgently required for the purposes aforesaid in the immediate neighborhood of Kapuskasing, at the junction of said river with the main line of the Canadian National Transcontinental Railway; and whereas the Government is desirous of having a town erected, planned and developed on model lines for the above purposes, and it has been agreed that the lands and premises hereafter described shall be utilized for the site of the said town, on the terms and conditions set forth in a certain proposed agreement, hereinafter more particularly referred to and set forth, and it is expedient that said town be erected and said agreement be entered into;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The inhabitants of the land described in section 2 are hereby constituted a corporation or body politic, under the name of "The Corporation of the Town of Kapuskasing." incorporation as town.

2. The said Town of Kapuskasing shall comprise and consist of all those parts of the said Township of O'Brien described as follows, and being composed of the following lands included in town.

lots and parts of lots therein, that is to say: In concession 12, lots 18, 19 and 20 and those portions of lots 23 and 24 lying north of the Kapuskasing River; in concession 13, lots 18, 19, 20, 23 and 24, and that part of lot 21 lying north of the right of way of the Canadian National Transcontinental Railway; in concession 14, lots 18, 19, 20, 21, 22, 23, 24 and 25; in concession 15, lots 18, 19, 20, 21, 22, 23 and 24.

Council—
how com-
posed.

3.—(1) The council of the said town shall consist of a mayor and six councillors. W. K. Kolb shall be the first mayor, and W. G. McNaughton, J. Albert Stewart, E. W. Hardman, Douglas Stewart, W. W. Mills and C. F. A. Lair shall be the first councillors of the said town.

Term of
office.

(2) The said mayor and the said councillors shall hold office for the remainder of the year 1921 and until their successors are elected and have taken the declaration of office.

In case of
vacancy.

(3) In case a vacancy occurs from any cause prior to the 31st day of December, 1921, in the office of mayor or councillor, the council shall forthwith appoint a person to fill the vacancy, and he shall hold office for the remainder of the term for which his predecessor was appointed.

Town to
form in-
dependent
municipality

4. The land comprised in the said town is hereby detached from the township of O'Brien, and the town shall form a separate and independent municipality.

Assessment
for 1921.

5. The council of the said Town of Kapuskasing may pass a by-law for taking the assessment of the said town for the year 1921, between the 1st day of July and the 1st day of September, 1921, and if any such by-law extends the time for making and completing the assessment rolls beyond the 1st day of October, 1921, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the district judge four weeks from that day.

Town to
remain
part of
rural school
section.

6.—(1) The said Town of Kapuskasing shall remain a part of the existing rural school section for school purposes, and that part of such school section which lies outside the said town shall nevertheless, for public school purposes, be deemed to be annexed to the said town, and the officers of the said town shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to that part of such section which lies within the unorganized Township of O'Brien as with respect to that part which lies within the said town, and the said taxes shall be paid by the col-

lector to the treasurer of the said town, and the treasurer shall pay over such taxes to the treasurer of the public school board of such section without any charge or deduction.

(2) The said town shall not be separated from the existing school section until such time as a by-law in that behalf has been passed by the council thereof, and approved by the Minister of Education, for the establishment of an urban school board for school purposes under the provisions of *The Public Schools Act* in that behalf.

7. For the purpose of acquiring the lands referred to in clause 12 of the proposed agreement, set forth in Schedule "A" hereto, all the provisions of *The Municipal Act* applicable to the acquisition of land by a municipal corporation shall *mutatis mutandis* apply.

8. Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

9. The Honourable Ernest Charles Drury, Prime Minister of Ontario, acting therein on behalf of His Majesty the King, is hereby authorized and empowered to enter into the agreement with the company set out as Schedule "A" hereto, and such agreement, when executed by the parties thereto, shall be legal, valid and binding according to the tenor and effect thereof.

10. In the event of the Government advancing funds for the purchase of land and the construction of houses thereon to the extent of not more than \$400,000, and for waterworks, sewerage, local improvements, or other municipal works to the extent of not more than \$100,000, as provided for in said agreement, it shall be the duty of the council of the said town, without obtaining the assent of the electors, to issue debentures for amounts respectively to cover the amount of such advances, together with interest on the same, and to deliver such debentures forthwith to the Treasurer of Ontario.

11. The provisions of section 2 of 10-11, George V. chapter 83, shall not apply to any money borrowed by the corporation of the Town of Kapuskasing from the Province of Ontario for the purposes of *The Ontario Housing Act, 1919*.

12. This Act shall come into force and take effect on the day on which it receives the Royal Assent.

SCHEDULE "A."

Memorandum of Agreement made and entered into, in duplicate,
the day of A.D. 1921.

Between

His Majesty King George the Fifth, represented herein by the
Honourable Ernest Charles Drury, Prime Minister of Ontario,
hereinafter called "The Government," of the one part;

and

Spruce Falls Company, Limited, hereinafter called "the Com-
pany," of the other part.

Whereas the Company is engaged at Kapuskasing, in the Dis-
trict of Temiskaming, in extensive operations concerning the manu-
facture of pulpwood pursuant to certain agreements with the Gov-
ernment;

And whereas it is essential that housing and other accommoda-
tion should be provided in the immediate neighborhood of Kapus-
kasing for persons in the employ of the Company in said industry,
and others who may become residents there, and the Government
is desirous of creating a town and having same planned and de-
veloped on model lines, and it has been agreed between the parties
that the following lots and parts of lots in the Township of O'Brien,
in the District of Temiskaming aforesaid, namely, Lots 18, 19 and
20, and those portions of Lots 23 and 24 lying north of the Kapus-
kasing River, in the 12th Concession; Lots 18, 19, 20, 23 and 24,
and that part of Lot 21 lying north of the Canadian National Trans-
continental Railway, in the 13th Concession; Lots 18, 19, 20, 21, 22,
23, 24 and 25, in the 14th Concession; and Lots 18, 19, 20, 21, 22,
23 and 24, in the 15th Concession; or some part thereof will be
utilized for the site of the said town;

And whereas an agreement has been entered into between the
parties hereto in reference to the subjects herein referred to on
the following terms and conditions;

Witnesseth that in consideration of the premises and of the
mutual covenants and agreements herein contained, and of the sum
of one dollar in hand paid by each of the parties hereto to the
other (the receipt whereof is hereby acknowledged), the parties
hereto covenant and agree with each other as follows:—

1. The Government will forthwith proceed to have such part of
the said lands which are to comprise the said townsite surveyed
and laid out as soon as possible as a model town, making all neces-
sary provision for streets, public buildings, parks, squares, open
spaces, and necessary municipal works.

2. The Government will cause a plan of said townsite to be
registered pursuant to *The Registry Act* or *Land Titles Act*, as
the case may be, and reserve all lands therein contained for the
purposes designated on such plan, and will enter into agreements
for sale to the Housing Commission to be formed in said munici-
pality, pursuant to *The Ontario Housing Act, 1919*, of such lots
as may be agreed upon between the said Housing Commission and
the Government, at prices which, on the average, will not exceed
one hundred dollars per lot.

3. The Government will, under and pursuant to the provisions
of *The Ontario Housing Act, 1919*, advance to the municipal cor-
poration of the Town of Kapuskasing, or to the said Housing Com-
mission, an amount of not more than \$400,000 for the purchase
of land and the construction of houses thereon; and will also

guarantee bonds or debentures of the municipal corporation issued for waterworks, sewerage, local improvements, or other municipal works to the extent of not more than one hundred thousand dollars, but no such waterworks, sewerage, local improvements or other municipal works shall be commenced until they shall have first been approved by the Government and by the Company. The Government will from time to time, so far as regards such waterworks, sewerage, local improvements or other municipal works, advance upon progress estimates to be issued by said municipal corporation, and approved by the Director of Housing, the necessary money to pay such progress estimates.

4. The bonds or debentures of the municipal corporation which shall be issued to provide funds for such waterworks, sewerage, local improvements or other municipal works may be sold by the Government, who may, out of the proceeds thereof, reimburse itself for advances made on progress estimates as herein provided for, together with the interest on such advances from the time that same were made.

5. The Company, during the time the moneys hereinbefore mentioned are in course of being expended, will supply all necessary timber, lumber and other materials in which it deals to the Housing Commission, or to the municipal corporation, at wholesale prices, and will in every way co-operate with the Government, the Housing Commission and the said municipal corporation in giving effect to the intent and meaning of this agreement.

6. The Company will furnish electric power to the municipal corporation for house and street lighting and other municipal purposes at cost.

7. The Company may use the houses now on its land for housing purposes, but shall not construct any other permanent houses within the limits of the townsite, or on Lots 21 or 22 in Concession 13, or Lots 21, 22 or 23 in Concession 12, for such purposes without the consent of the Government.

8. In the event of default being made by the municipal corporation in the payment of any monthly instalment or instalments due under the provisions of *The Ontario Housing Act, 1919*, or in the payment of principal or interest on any of its debentures which may have been guaranteed hereunder by the Government, the amount or amounts necessary to be paid to make good such default shall be paid by the Company to the Government on assignment by the Government to the Company of all securities held by the Government therefor, or of such portion thereof as may represent the amount or amounts of such default.

9. The agreement between the parties hereto dated 4th August, 1920, is hereby amended by striking out paragraph 13 thereof, and in lieu of the liability undertaken by the Company in said paragraph 13, the Company agrees to build a high level bridge across the Kapuskasing River from a point in Lot 23, Concession 14, to a point in Lot 24, Concession 14, in said Township of O'Brien. The said bridge and approaches thereto shall be of the same general character and nature as the existing bridges and approaches referred to in said paragraph 13 of said agreement, and shall be constructed by and at the expense of the Company under and pursuant to plans and specifications approved by the Department of Lands and Forests for the Province of Ontario, and when constructed shall be the property of the Crown.

It is also understood and agreed that the structure and material of the existing bridges referred to in said paragraph 13 of the said agreement shall, when said new high level bridge and approaches are constructed and opened for traffic, be removed by, and become the property of, the Company.

10. In laying out the townsite the right-of-way for the spur line of railway constructed by the Company, and also for the power transmission line constructed by the Company, are to be duly provided for free of expense to the Company.

11. The Government is to grant a patent to the Company of the ten acres on the west side of the river adjoining the Experimental Farm, being part of Lot 23, in Concession 13, of the Township of O'Brien aforesaid, at the price of one hundred dollars per acre.

12. The Government agrees to purchase or acquire by expropriation all that part of Lot 20, in Concession 13, of the Township of O'Brien, lying north of the right-of-way of the National Transcontinental Railway, and also all of Lot 20, in Concession 14, of the Township of O'Brien, at the expense of the Government.

13. The Company shall be entitled to purchase from the Government such lots in said townsite as it may desire for the erection of an hotel and quarters for staff officers, and also for boarding houses and other buildings which it may desire to erect in the townsite, at a cost not exceeding one hundred and fifty dollars per lot.

14. It is understood and agreed that the Government shall be at the expense (1) of acquiring whatever land may be required for the purposes of said townsite, save and except the lands which the Company now has an option to purchase from the Government within the area of the townsite which are hereby released from such option by the Company to the Government free of cost; (2) of clearing all said land to be laid out as lots on the plan referred to in paragraph 1 hereof, or to be laid out for use as streets, public buildings, squares and necessary municipal works; and also of stumping all said land to be so laid out on said plan as streets or squares; (3) of surveying, planning and laying out said townsite; (4) of registering the plan thereof, and (5) of preparing the plans and specifications of the waterworks, sewerage, local improvements or other municipal works, and of revising the plans and specifications of the houses and boarding houses to be erected on said townsite.

In witness whereof the Honourable the Prime Minister has hereunto set his hand, and the Company has hereunto affixed its corporate seal, testified by the hand of its proper officer thereunto duly authorized.

Signed, sealed and delivered in the
presence of

No. 111.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to incorporate the Town of
Kapuskasing.

1st Reading, 18th February, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. DEURY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to incorporate the Town of Kapuskasing.

WHEREAS, pursuant to certain agreements between Preamble.
the Government and Spruce Falls Company, Limited,
the company is engaged at Kapuskasing, in the Township
of O'Brien, in the District of Temiskaming, and also in cer-
tain portions of the District of Algoma, in certain extensive
operations concerning the manufacture of pulpwood, and
has in course of erection extensive plants for the development
of water powers in the Kapuskasing River and for the pro-
duction of pulp, and is to erect a plant for the production
of paper and already has in its employ a large number of
men in connection therewith, which will be largely aug-
mented as rapidly as the work can be proceeded with; and
whereas housing and other accommodation is urgently re-
quired for the purposes aforesaid in the immediate neigh-
borhood of Kapuskasing, at the junction of said river with
the main line of the Canadian National Transcontinental
Railway; and whereas the Government is desirous of having
a town erected, planned and developed on model lines for the
above purposes, and it has been agreed that the lands and
premises hereafter described shall be utilized for the site
of the said town, on the terms and conditions set forth in
a certain proposed agreement, hereinafter more particularly
referred to and set forth, and it is expedient that said town
be erected and said agreement be entered into;

Therefore His Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. The inhabitants of the land described in section 2 are hereby constituted a corporation or body politic, under the Incorporation as town.
name of "The Corporation of the Town of Kapuskasing."

2. The said Town of Kapuskasing shall comprise and Lands included in town.
consist of all those parts of the said Township of O'Brien
described as follows, and being composed of the following

lots and parts of lots therein, that is to say: In concession 12, lots 18, 19 and 20 and those portions of lots 23 and 24 lying north of the Kapuskasing River; in concession 13, lots 18, 19, 20, 23 and 24, and that part of lot 21 lying north of the right of way of the Canadian National Transcontinental Railway; in concession 14, lots 18, 19, 20, 21, 22, 23, 24 and 25; in concession 15, lots 18, 19, 20, 21, 22, 23 and 24.

Council—
how com-
posed.

3.—(1) The council of the said town shall consist of a mayor and six councillors. W. K. Kolb shall be the first mayor, and W. G. McNaughton, J. Albert Stewart, E. W. Hardman, Douglas Watson Smith, W. W. Mills and C. F. A. Lair shall be the first councillors of the said town.

Term of
office.

(2) The said mayor and the said councillors shall hold office for the remainder of the year 1921 and until their successors are elected and have taken the declaration of office.

In case of
vacancy.

(3) In case a vacancy occurs from any cause prior to the 31st day of December, 1921, in the office of mayor or councillor, the council shall forthwith appoint a person to fill the vacancy, and he shall hold office for the remainder of the term for which his predecessor was appointed.

Town to
form in-
dependent
municipality

4. The land comprised in the said town is hereby detached from the township of O'Brien, and the town shall form a separate and independent municipality.

Assessment
for 1921.

5. The council of the said Town of Kapuskasing may pass a by-law for taking the assessment of the said town for the year 1921, between the 1st day of July and the 1st day of September, 1921, and if any such by-law extends the time for making and completing the assessment rolls beyond the 1st day of October, 1921, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the district judge four weeks from that day.

Town to
remain
part of
rural school
section.

6.—(1) The said Town of Kapuskasing shall remain a part of the existing rural school section for school purposes, and that part of such school section which lies outside the said town shall nevertheless, for public school purposes, be deemed to be annexed to the said town, and the officers of the said town shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to that part of such section which lies within the unorganized Township of O'Brien as with respect to that part which lies within the said town, and the said taxes shall be paid by the col-

lector to the treasurer of the said town, and the treasurer shall pay over such taxes to the treasurer of the public school board of such section without any charge or deduction.

(2) The said town shall not be separated from the existing school section until such time as a by-law in that behalf has been passed by the council thereof, and approved by the Minister of Education, for the establishment of an urban school board for school purposes under the provisions of *The Public Schools Act* in that behalf.

Power to pass by-law for establishment of urban school board.

7. For the purpose of acquiring the lands referred to in clause 12 of the proposed agreement, set forth in Schedule "A" hereto, all the provisions of *The Municipal Act* applicable to the acquisition of land by a municipal corporation shall *mutatis mutandis* apply.

Lands, how acquired.

8. Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

Municipal Act applicable, to what extent.

9. The Honourable Ernest Charles Drury, Prime Minister of Ontario, acting therein on behalf of His Majesty the King, is hereby authorized and empowered to enter into the agreement with the company set out as Schedule "A" hereto, and such agreement, when executed by the parties thereto, shall be legal, valid and binding according to the tenor and effect thereof.

Authorization for agreement.

10. In the event of the Government advancing funds for the purchase of land and the construction of houses thereon to the extent of not more than \$400,000, and for waterworks, sewerage, local improvements, or other municipal works to the extent of not more than \$100,000, as provided for in said agreement, it shall be the duty of the council of the said town, without obtaining the assent of the electors, to issue debentures for amounts respectively to cover the amount of such advances, together with interest on the same, and to deliver such debentures forthwith to the Treasurer of Ontario.

Authority of town to issue debentures, under what circumstances.

11. The provisions of section 2 of 10-11, George V, chapter 83, shall not apply to any money borrowed by the corporation of the Town of Kapuskasing from the Province of Ontario for the purposes of *The Ontario Housing Act*, 1919.

Application of 1920, c. 83, s. 2.

12. This Act shall come into force and take effect on the day on which it receives the Royal Assent.

Commencement of Act.

SCHEDULE "A."

Memorandum of Agreement made and entered into, in duplicate,
the day of A.D. 1921.

Between

His Majesty King George the Fifth, represented herein by the Honourable Ernest Charles Drury, Prime Minister of Ontario, hereinafter called "The Government," of the one part;

and

Spruce Falls Company, Limited, hereinafter called "the Company," of the other part.

Whereas the Company is engaged at Kapuskasing, in the District of Temiskaming, in extensive operations concerning the manufacture of pulpwood pursuant to certain agreements with the Government;

And whereas it is essential that housing and other accommodation should be provided in the immediate neighborhood of Kapuskasing for persons in the employ of the Company in said industry, and others who may become residents there, and the Government is desirous of creating a town and having same planned and developed on model lines, and it has been agreed between the parties that the following lots and parts of lots in the Township of O'Brien, in the District of Temiskaming aforesaid, namely, Lots 18, 19 and 20, and those portions of Lots 23 and 24 lying north of the Kapuskasing River, in the 12th Concession; Lots 18, 19, 20, 23 and 24, and that part of Lot 21 lying north of the Canadian National Transcontinental Railway, in the 13th Concession; Lots 18, 19, 20, 21, 22, 23, 24 and 25, in the 14th Concession; and Lots 18, 19, 20, 21, 22, 23 and 24, in the 15th Concession; or some part thereof will be utilized for the site of the said town;

And whereas an agreement has been entered into between the parties hereto in reference to the subjects herein referred to on the following terms and conditions;

Witnesseth that in consideration of the premises and of the mutual covenants and agreements herein contained, and of the sum of one dollar in hand paid by each of the parties hereto to the other (the receipt whereof is hereby acknowledged), the parties hereto covenant and agree with each other as follows:—

1. The Government will forthwith proceed to have such part of the said lands which are to comprise the said townsite surveyed and laid out as soon as possible as a model town, making all necessary provision for streets, public buildings, parks, squares, open spaces, and necessary municipal works.

2. The Government will cause a plan of said townsite to be registered pursuant to *The Registry Act* or *Land Titles Act*, as the case may be, and reserve all lands therein contained for the purposes designated on such plan, and will enter into agreements for sale to the Housing Commission to be formed in said municipality, pursuant to *The Ontario Housing Act, 1919*, of such lots as may be agreed upon between the said Housing Commission and the Government, at prices which, on the average, will not exceed one hundred dollars per lot.

3. The Government will, under and pursuant to the provisions of *The Ontario Housing Act, 1919*, advance to the municipal corporation of the Town of Kapuskasing, or to the said Housing Commission, an amount of not more than \$400,000 for the purchase of land and the construction of houses thereon; and will also

guarantee bonds or debentures of the municipal corporation issued for waterworks, sewerage, local improvements, or other municipal works to the extent of not more than one hundred thousand dollars, but no such waterworks, sewerage, local improvements or other municipal works shall be commenced until they shall have first been approved by the Government and by the Company. The Government will from time to time, so far as regards such waterworks, sewerage, local improvements or other municipal works, advance upon progress estimates to be issued by said municipal corporation, and approved by the Director of Housing, the necessary money to pay such progress estimates.

4. The bonds or debentures of the municipal corporation which shall be issued to provide funds for such waterworks, sewerage, local improvements or other municipal works may be sold by the Government, who may, out of the proceeds thereof, reimburse itself for advances made on progress estimates as herein provided for, together with the interest on such advances from the time that same were made.

5. The Company, during the time the moneys hereinbefore mentioned are in course of being expended, will supply all necessary timber, lumber and other materials in which it deals to the Housing Commission, or to the municipal corporation, at wholesale prices, and will in every way co-operate with the Government, the Housing Commission and the said municipal corporation in giving effect to the intent and meaning of this agreement.

6. The Company will furnish electric power to the municipal corporation for house and street lighting and other municipal purposes at cost.

7. The Company may use the houses now on its land for housing purposes, but shall not construct any other permanent houses within the limits of the townsite, or on Lots 21 or 22 in Concession 13, or Lots 21, 22 or 23 in Concession 12, for such purposes without the consent of the Government.

8. In the event of default being made by the municipal corporation in the payment of any monthly instalment or instalments due under the provisions of *The Ontario Housing Act, 1919*, or in the payment of principal or interest on any of its debentures which may have been guaranteed hereunder by the Government, the amount or amounts necessary to be paid to make good such default shall be paid by the Company to the Government on assignment by the Government to the Company of all securities held by the Government therefor, or of such portion thereof as may represent the amount or amounts of such default.

9. The agreement between the parties hereto dated 4th August, 1920, and which is set forth in Schedule "B" hereto, is hereby amended by striking out paragraph 13 thereof, and in lieu of the liability undertaken by the Company in said paragraph 13, the Company agrees to build a high level bridge across the Kapuskasing River from a point in Lot 23, Concession 14, to a point in Lot 24, Concession 14, in said Township of O'Brien. The said bridge and approaches thereto shall be of the same general character and nature as the existing bridges and approaches referred to in said paragraph 13 of said agreement, and shall be constructed by and at the expense of the Company under and pursuant to plans and specifications approved by the Department of Lands and Forests for the Province of Ontario, and when constructed shall be the property of the Crown.

It is also understood and agreed that the structure and material of the existing bridges referred to in said paragraph 13 of the said agreement shall, when said new high level bridge and approaches are constructed and opened for traffic, be removed by, and become the property of, the Company.

10. In laying out the townsite the right-of-way for the spur line of railway constructed by the Company, and also for the power transmission line constructed by the Company, are to be duly provided for free of expense to the Company.

11. The Government is to grant a patent to the Company of the ten acres on the west side of the river adjoining the Experimental Farm, being part of Lot 23, in Concession 13, of the Township of O'Brien aforesaid, at the price of, one hundred dollars per acre.

12. The Government agrees to purchase or acquire by expropriation all that part of Lot 20, in Concession 13, of the Township of O'Brien, lying north of the right-of-way of the National Transcontinental Railway, and also all of Lot 20, in Concession 14, of the Township of O'Brien, at the expense of the Government.

13. The Company shall be entitled to purchase from the Government such lots in said townsite as it may desire for the erection of an hotel and quarters for staff officers, and also for boarding houses and other buildings which it may desire to erect in the townsite, at a cost not exceeding one hundred and fifty dollars per lot.

14. It is understood and agreed that the Government shall be at the expense (1) of acquiring whatever land may be required for the purposes of said townsite, save and except the lands which the Company now has an option to purchase from the Government within the area of the townsite which are hereby released from such option by the Company to the Government free of cost; (2) of clearing all said land to be laid out as lots on the plan referred to in paragraph 1 hereof, or to be laid out for use as streets, public buildings, squares and necessary municipal works; and also of stumping all said land to be so laid out on said plan as streets or squares; (3) of surveying, planning and laying out said townsite; (4) of registering the plan thereof, and (5) of preparing the plans and specifications of the waterworks, sewerage, local improvements or other municipal works, and of revising the plans and specifications of the houses and boarding houses to be erected on said townsite.

In witness whereof the Honourable the Prime Minister has hereunto set his hand, and the Company has hereunto affixed its corporate seal, testified by the hand of its proper officer thereunto duly authorized.

Signed, sealed and delivered in the
presence of

SCHEDULE "B."

Memorandum of Agreement made and entered into (in duplicate), the Fourth day of August, A.D. 1920.

Between

His Majesty King George the Fifth, represented by the Minister of Lands and Forests of the Province of Ontario, hereinafter referred to as "the Government," of the one part;

and

Spruce Falls Company, Limited, hereinafter referred to as "the Company," of the other part.

Whereas a certain agreement, dated the 9th day of February, A.D. 1918, was made between the Government, of the one part, and Saphrenous A. Mundy, of the City of Bradford, in the State of Pennsylvania, United States of America, Lumberman, and Elihu

Stewart, of the City of Toronto, in the County of York, Province of Ontario, Forester, hereinafter referred to as "the concessionaires," of the other part, concerning the right to cut pulpwood and pine timber on a certain area situate in the vicinity of the Kapuskasing River, in the Districts of Temiskaming and Algoma, all as therein particularly set forth and described and hereinafter referred to as "the Concession";

And whereas by indenture dated the 2nd day of March, 1918, the concessionaires, with the assent and approval of the Government did grant, assign, transfer and set over unto Spruce Falls Pulp and Paper, Limited, all the right, title, claims and demand of the concessionaires in and to the said concession;

And whereas by indenture dated the 6th day of July, 1920, said Spruce Falls Pulp and Paper, Limited, with the assent and approval of the Government, did grant, assign, transfer and set over unto the Company all the right, title, interest, claim and demand of Spruce Falls Pulp and Paper, Limited, in and to the said concession;

And whereas it has been agreed by and between the parties hereto that certain lands and premises in the Township of O'Brien, in the District of Temiskaming, should be added to the concession on the terms and conditions hereinafter set forth and contained, also that the agreement hereinafter expressed should be made by and between the parties hereto in respect of the other subjects herein referred to;

Now, therefore, this agreement witnesseth that, in consideration of the premises and of the covenants and conditions herein contained and of the sum of one dollar (\$1.00), in hand, paid by the Company to the Government (the receipt whereof is hereby acknowledged), the parties hereto covenant and agree with each other as follows; that is to say:

1. The Company hereby admits that the increase of dues made by Order-in-Council by the Government of the Province of Ontario, dated the 15th day of June, 1920, from 75c. per cord upon spruce pulpwood to \$1.15, and from 75c. per cord to 95 cents per cord upon balsam and other classes of pulpwood, is a true interpretation of, and in accordance with, the provisions as to the Crown increasing the dues mentioned in paragraph No. 3 of the agreement between the Government and the Spruce Falls Pulp and Paper, Limited, dated the 11th day of June, A.D. 1920.

The portions of said Township of O'Brien set forth and described in Schedule "A" hereto annexed, shall be deemed to be included in the said agreement of 9th February, 1918, as if originally described therein, except that the dues payable by the Company to the Government in respect of the pulpwood and timber cut thereon shall, for the present, be, for spruce cut for pulpwood at the rate of \$1.60 per cord, in lieu of \$1.15 per cord, and for all other woods cut for pulpwood at the rate of \$1.30 per cord, in lieu of 95 cents per cord, which said dues of \$1.60 per cord and \$1.30 per cord, respectively, may be increased as provided by said section 3 of the said agreement, dated the 11th day of June, 1920; and for all spruce and other timbers used or cut by it in the operation of its sawmill the Company shall pay such price per thousand feet, board measure, as shall be determined by the Government, from time to time, having regard to the price prevailing for the particular class of timber throughout the Province, and having regard also to the conditions under which said timber is to be cut and logged. The said board measure shall be ascertained by such method of measurement as may hereafter be decided upon by the Government as a general policy for measurement of logs or mill output throughout the Province.

2. The Company shall proceed with and carry on its operations on all the lands described in this agreement and Schedules "A" and "B" hereto, as part of the first operations of the Company, under and pursuant to the rights contained in said agreement of 9th February, 1918.

3. The Company shall cause all brush created by or resulting from its operations on the lands herein particularly described to be destroyed, as may be directed from time to time by the Government."

4. As regards all the portion of said Township of O'Brien not particularly described herein, or in either of the schedules hereto, or contained in what is known as "the Dominion Government Farm," it is understood that same will be set apart by the Government as a reservation for settlers, and in the event of the Government deciding at any time to sell and dispose of the pulp and other timber thereon to other than settlers, the Government will give, and hereby gives, to the Company the first right or option to purchase same for the most favorable price, and on terms upon which the Government is willing to sell and dispose of same to any other purchaser, which said right and option shall be exerciseable by the Company at any time within fifteen days from the receipt by it of notice from the Government of said intention, price and terms.

5. The portions of the said Township of O'Brien set forth and described in Schedule "B" hereto annexed shall be leased by the Government to the Company for the term of five years, from the day of the date hereof, at the annual rental of twenty-five dollars (\$25.00), payable in advance on the first day of August in each and every year during said term, the first of said payments of rent to be made on or before the first day of September, 1920. In default of any payment of said rental, or the performance of any covenants on the part of the Company contained in this agreement, for sixty days after notice thereof in writing by the Government to this Company, and demand for payment or performance thereof, as the case may be, the Minister of Lands and Forests of the Province of Ontario may declare this agreement void, and all rights of the Company under this agreement shall thereupon immediately cease. The Company shall have the right or option to purchase said lands, as set out in Schedule "B," hereto attached, in fee simple, at the end of said term of five years, at the price of two dollars (\$2.00) per acre. The Company shall be entitled to cut and remove the pulp and other timber on said lands at any time after the date hereof; subject, nevertheless, to the conditions set out in paragraph 2 hereof, paying therefor dues at the same rate as provided by paragraph 1 hereof.

The Company hereby covenants and agrees with the Government to make such clearance and improvements upon the land so leased as shall be requisite to remove all fire hazards, and to make the same fit for farming operations, as shall be satisfactory to the Government, and the right of the Company to purchase said lands shall be conditional upon the Company having cleared and improved said lands as herein provided. Said lease of said lands to the Company, and said right of the Company to purchase said lands, are and shall be subject to the discretion of the Government to grant to one David Ralston a patent in fee simple of a parcel of land in the town plot of Kapuskasing, in said area of lands described by said David Ralston in a letter from him to the Minister of Lands, dated March 13th, 1920, as Lot No. 1114 George Street, McPherson.

6. The Company shall be entitled to a license of occupation of the island in Kapuskasing River south of the right-of-way of the National Transcontinental Railway, and with necessary booming privileges, yielding and paying for said license of occupation an

annual rental of five dollars (\$5.00), payable in advance on the first day of September in each and every year said license exists; the first of said payments of rental to be made on or before the first day of September, 1920.

7. As regards that portion of what is known as the "Provincial Colony Farm" in said O'Brien Township, and consisting of certain lots and road allowances which may be more particularly described as follows, that is to say:

Commencing at the highwater mark on the easterly bank of the Kapuskasing River, where the same is intersected by the southerly limit of the right of way of the National Transcontinental Railway; thence easterly and south-easterly, following the southerly limit of said right of way to its intersection with the east boundary of lot 20, concession 13; thence southerly along the easterly boundary of said lot 20 to the south-east angle thereof; thence westerly along the southerly limit of said last mentioned lot to the south-west angle thereof; thence south in a straight line across the road allowance between concessions 12 and 13, one chain to the north-east angle of lot 21, in the 12th concession; thence southerly along the east boundary of said last mentioned lot to the south-east angle thereof; thence westerly along the southerly limits of lots 21, 22, 23 and 24 in the 11th concession and a continuation of the same across the road allowance to where it intersects the highwater mark on the easterly bank of the Kapuskasing River; thence north-easterly, following the meanderings of the said highwater mark on the east bank of said river to the point of commencement, containing by admeasurement 466 acres, more or less, as shown colored green on plan hereto attached.

The Government hereby agrees to sell same in fee simple to the Company and the Company hereby agrees to buy same in fee simple from the Government, at the price and on the terms following, that is to say: For such part thereof as is not now cut over and cleared of stumps (which part is to be delimited by the Government and agreed upon within two months from the day and date hereof) at the price of two dollars per acre, and as to the remainder of the said Provincial Colony Farm, which is now cut over and cleared of stumps, the price is to be at the rate of one hundred dollars (\$100.00) per acre; provided that, if the Company within one month after said delimitation shall, by writing, notify the Government that the Company is dissatisfied with said price of \$100.00 per acre, then the price therefor is to be ascertained by arbitrators, pursuant to *The Arbitration Act*, and be payable by the Company as hereinafter provided.

Each of the parties hereto, within one month after said written notice given by the Company, shall appoint one arbitrator, said two arbitrators to appoint an umpire.

8. All buildings upon the land described in this agreement and the schedules hereto, except the building known as the schoolhouse and the other buildings for which other provision is made herein, are to be purchased by the Company from the Government at a valuation to be agreed upon, or if not agreed upon, then to be ascertained by arbitrators, pursuant to *The Arbitration Act*, and payable by the Company as hereinafter provided; either of said parties hereto being at liberty to appoint one of the arbitrators therefor and notify the other party in writing of said appointment, whereupon said other party shall, within two weeks of the receipt of said notice, notify the other in writing of the name of the arbitrator selected by it; said two arbitrators shall thereupon appoint an umpire.

The schoolhouse is to be retained in its present position until the Government requires its removal to some portion of the

reservation hereinbefore referred to, and the Company is then to forthwith remove it at the expense of the Company to a location indicated by the Government. As to the two houses occupied by agents of the Government, said agents are to be entitled to continue to occupy same until other arrangements are made by the Government. The Government shall be entitled to select a room in what is known as the Administration Building for the use of officials of the Government, for such time as the Government may elect, and said officials shall have free and undisturbed use and access to said room. The right of the Company to the building mentioned in this paragraph, and the furniture contained therein, is subject also to the right of one R. C. Campbell to the dormitories, recreation rooms and kitchen, under the agreement the terms of which are set forth in a letter from the Deputy Minister of the Department of Lands and Forests to H. E. Sheppard, Colonization Superintendent, Kapuskasing, dated May 12th, 1920.

As to all vacant buildings, the Company may take possession of them at once.

9. Save and except as to the furniture in the two buildings hereinbefore referred to, now occupied by the agents of the Government, and the premises to which R. C. Campbell is entitled as hereinbefore provided; also as to the household furniture in the buildings in paragraph 8, hereinbefore referred to, the Company is to purchase such portion thereof as it requires at a valuation to be agreed upon, or if not agreed upon, then to be ascertained pursuant to *The Arbitration Act*, in the manner mentioned in said paragraph 8. The furniture so purchased is to be paid for by the Company as hereinafter provided.

As to the portion of the furniture which the Company does not desire to purchase, same shall be cared for by the Company till the pleasure of the Government is known, and shall then be delivered over as the Government may indicate to the Company.

10. As to the equipment and supplies belonging to the Government in connection with said Colony Farm (including horses, harness, wagons, sleighs, etc.), which the Government does not inform the Company of its desire to retain, the Company shall be entitled to purchase such portion as it may require at a valuation to be agreed upon, and if not agreed upon then, to be ascertained by arbitration, pursuant to *The Arbitration Act*, and payable by the Company as hereinafter provided.

11. All purchase moneys payable by the Company to the Government, pursuant to the agreement, shall be paid as follows, that is to say: The Company shall pay cash for the price of such lands as shall be purchased by it under the option contained in paragraph 5 hereof; as to all other purchase moneys, ten per cent. (10%) thereof shall be paid when the price therefor is agreed upon, or ascertained as hereby provided, and the balance in five equal annual instalments, with interest payable yearly at the rate of 6 per cent. per annum on the balance from time to time remaining unpaid, until same is fully paid, with the right to the Company to repay at any time before maturity, without notice or bonus.

12. Paragraph seven, subsection 2, of the agreement dated 11th June, 1920, between the Government and Spruce Falls Pulp and Paper, Limited, so far as the same provides for operation of the sawmill therein referred to, is hereby amended by extending the time therefor till first July, 1922.

13. The Company hereby covenants and agrees with the Government to construct the approaches to the two bridges across the Kapuskasing River, along the northerly side of the Canadian National Railway, opposite lot 22, concession 14, in the said Township of O'Brien and to raise the said bridges to such an elevation as shall, in the opinion of the Minister of Lands and Forests of

the Province of Ontario, be sufficient to protect said roads and bridges, and persons and vehicles using the same, from all damage and danger of damage from water, ice, or other objects floating in or around said river, and hereafter shall repair all damage to said road or bridge caused by the raising of said waters or from any objects floating thereon.

Said approaches and bridges shall be constructed and raised, and said repairs shall be made, by the Company and at the expense of the Company, under and in compliance with the specifications and directions provided and given by the Department of Lands and Forests for the Province of Ontario, and under the supervision of said Department.

Provided, nevertheless, that at its option, the said Department may construct said approaches, raise said bridges and make said repairs, in which event the Company shall forthwith upon demand pay all cost of said construction, raising and repairing.

14. The agreement herein contained shall enure to the benefit of and be binding upon the parties hereto, their and each of their successors and assigns; provided, however, that no assignment of the agreement dated 9th February, 1918, 11th June, 1920, or if this agreement shall be made by the Company without the consent of the Government being first had and obtained.

In witness whereof the Minister of Lands and Forests, by command of the Lieutenant-Governor in Council, has hereunto set his hand, with the seal of the Department, and the Company has hereunto affixed its corporate seal, testified by the hands of its proper officers, thereunto duly authorized.

Signed, sealed and delivered
In the presence of
HORACE WALLIS.

E. C. DEURY,
*Acting Minister Lands and
Forests.*

SPRUCE FALLS CO., LTD.
By F. J. SENSENBRENNER,
President.

SCHEDULE "A."

This is Schedule "A" referred to in the annexed Agreement, dated the 4th day of August, 1920.

Between

His Majesty King George the Fifth of the one part;

and

Spruce Falls Company, Limited, of the other part.

Surveys Branch.

Toronto, July 20th, 1920.

Description of lands in the Township of O'Brien.

"A."

Being composed of lots numbers 1 to 29 inclusive, in the 1st, 2nd, 3rd, 4th, 5th and 6th concessions of the said township, containing an area of 16,633 acres, more or less;

Also lots numbers 1 to 10 inclusive in the 13th, 14th, 15th and 16th concessions, and lots numbers 1 to 20, inclusive, in the 17th and 18th concessions, containing an area of 7,402 acres, more or less.

Also lots numbers 26 to 29 inclusive in the 17th and 18th concessions, containing 692 acres, more or less;

Making a total area of 24,727 acres, more or less.

The above lots and parts of lots being shown bordered in red on the plan of O'Brien Township attached hereto.

SCHEDULE "B."

This is Schedule "B" referred to in the annexed Agreement, dated the 4th day of August, 1920,

Between

His Majesty King George the Fifth of the one part;

and

Spruce Falls Company, Limited, of the other part.

"B."

Being composed of all that portion of lot number 21 in the 13th concession, lying north of the National Transcontinental Railway;

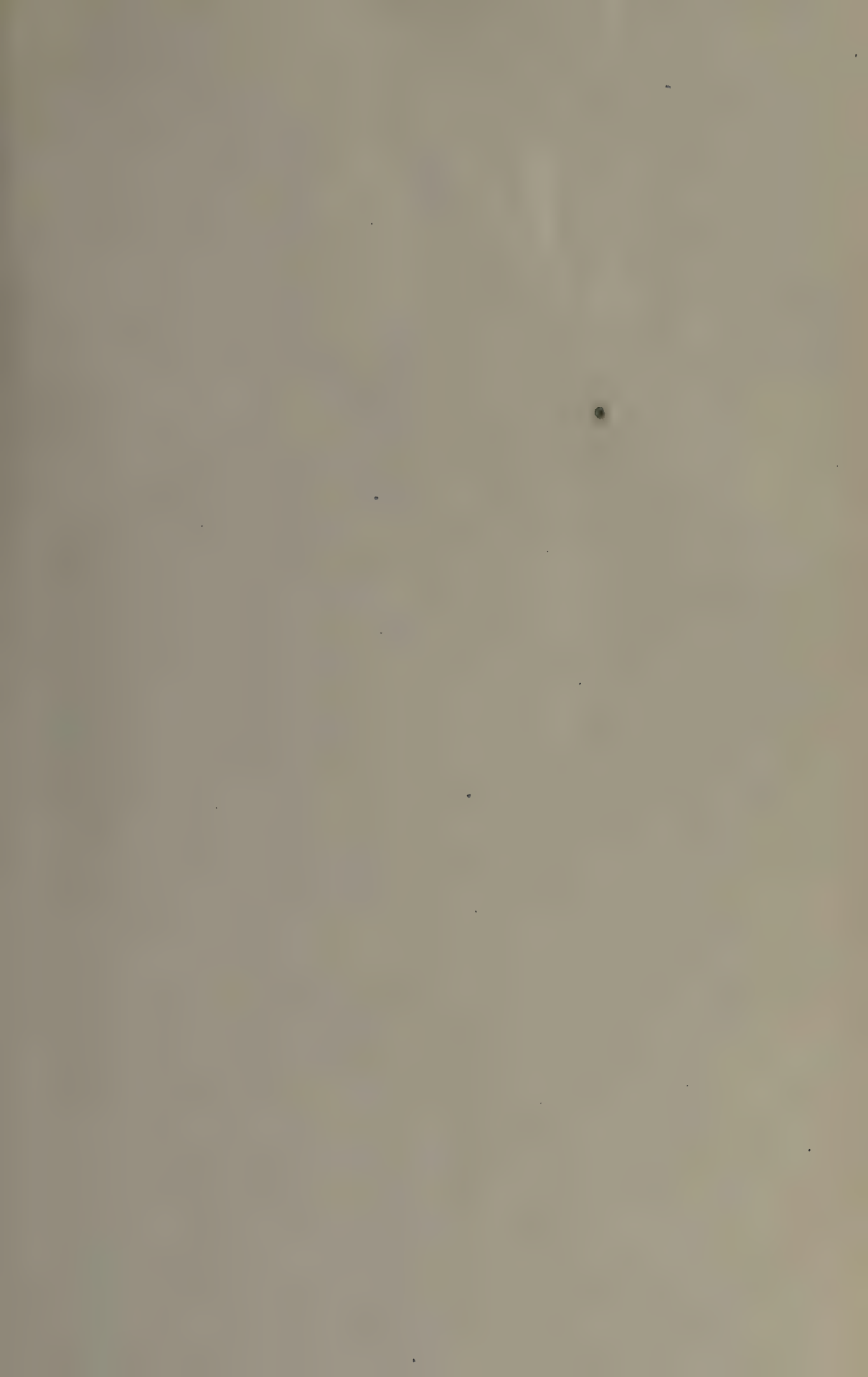
Also whole lots numbers 21, 25 and 26 and broken lots numbers 22, 23 and 24 in the 14th concession, excepting from the said broken lot number 24 that part containing 11.5 acres granted to J. A. Stewart by Letters Patent, dated November 24th, 1919;

Also whole lots numbers 21, 22, 25, 26 and 27, and broken lots numbers 23 and 24 in the 15th concession;

Also whole lots numbers 21, 22, 23 and 25, and broken lot number 24 in the 16th concession;

Also whole lots numbers 21, 22 and 23, and broken lots numbers 24 and 25 in the 17th concession;

And also whole lots numbers 21, 22, 23 and 24 in the 18th concession, containing a total area of 2,467 4-5 acres, more or less, the said lots and part of lots being shown bordered in yellow on the plan attached.



No. 111.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to incorporate the Town of
Kapuskasing.

1st Reading, 18th February, 1921.
2nd Reading, 9th March, 1921.
3rd Reading, 1921.

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. DRURY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Health Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 94 of *The Public Health Act*, as amended by Rev. Stat., c. 218, s. 94, amended. section 47 of *The Statute Law Amendment Act, 1914*, and as further amended by section 10 of *The Public Health Amendment Act, 1918*, is further amended by adding thereto the following subsection:—

- (16) Where a sewage disposal plant or any connection therewith is constructed by an urban municipality in a township the council of the urban municipality and the council of the township may enter into an agreement for the connecting with and user of such sewage disposal plant or connections by the township municipality and residents thereof on such terms as may be mutually agreed upon.
- Agreement between urban and township municipalities.

No. 112.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Health Act.

1st Reading,	18th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. Tooms.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 113.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 37 of section 399 of *The Municipal Act* is amended by striking out the words “or fruit” in the third line, and inserting in lieu thereof the words “bread or fruit.”

Rev. Stat.,
c. 192, s. 399,
par. 37,
amended.

No. 113.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	18th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McLEOD.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Liens of Mechanics and Wage-Earners, Supply Men and Others.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Building Lien Act*. Short title.

(1a) Sections one, two, three, four, five, six, seven, subsections one and two of section eight, eleven, twelve, thirteen, fourteen, fifteen, seventeen, eighteen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, subsection four of section twenty-nine, thirty and any amendments thereto, if any, of chapter 140 of the *Revised Statutes of Ontario, 1914*, are hereby repealed.

2. In this Act,

Interpreta-
tion.

(a) "Contractor" shall mean a person contracting with Contractor.
or employed directly by the owner or his agent
for the doing of work or service or placing or
furnishing materials for any of the purposes
mentioned in this Act;

(b) "Material" or "Materials" shall include every Material.
kind of moveable property;

(c) "Owner" shall extend to any person, body cor- Owner.
porate or politic, including a municipal corpora-
tion and a railway company and any depart-
ment of His Majesty's Government, whether for
the Dominion of Canada or for any of the
provinces thereof, having any estate or interest
in the land upon or in respect of which the
work or service is done, or materials are placed
or furnished, and all persons claiming under

him or them whose rights are acquired after the work or service in respect of which the lien is claimed is commenced or the materials furnished have been commenced to be furnished;

Registrar. (d) "Registrar" shall include Master of Titles and Local Master of Titles;

Registry Office. (e) "Registry Office" shall include Land Titles Office;

Sub-contractor. (f) "Sub-contractor" shall mean a person not contracting with or employed directly by the owner or his agent for the purposes aforesaid, but contracting with or employed by a contractor, or under him by another sub-contractor;

Wages. (g) "Wages" shall mean money earned by a mechanic or labourer for work done, whether by the day or other time or as piece work.

Exception of streets or highways. **3.** Nothing in this Act shall extend to any public street or highway, or to any work or improvement done or caused to be done by a municipal corporation thereon.

Contracts waiving application of Act to be void. **4.—(1)** Every agreement, verbal or written, expressed or implied, on the part of any workman, servant, labourer, mechanic or other person employed in any kind of manual labour intended to be dealt with in this Act, that this Act shall not apply, or that the remedies provided by it shall not be available for the benefit of such person, shall be null and void.

Exception as to certain employees. (2) This section shall not apply to a manager, officer or foreman, or to any other person whose wages are more than \$10 a day.

Effect upon third party of agreement waiving lien. **5.** No agreement shall deprive any person otherwise entitled to a lien under this Act who is not a party to the agreement, of the benefit of the lien, but it shall attach, notwithstanding such agreement.

General right of workman or material man to a lien. **6.** Unless he signs an express agreement to the contrary and in that case subject to the provisions of section 4, any person who performs any work or service upon or in respect of, or places or furnishes any materials to be used in the making, constructing, erecting, fitting, altering, improving or repairing of any erection, building, railway, land, wharf, pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, pavement, fountain, fishpond, drain,

sewer, aqueduct, roadbed, way, fruit or ornamental trees, or the appurtenances to any of them, for any owner, contractor or sub-contractor, shall by virtue thereof have a lien for the price of such work, service or materials upon the erection, building, railway, land, wharf, pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, and appurtenances, and the land occupied thereby or enjoyed therewith, or upon or in respect of which such work or service is performed, or upon or adjacent to which such materials are placed or furnished to be used, limited, however, in amount to the sum justly due to the person entitled to the lien and to the sum justly owing, except as herein provided, by the owner.

7. Where work or service is done or materials are furnished upon or in respect of the land of a married woman with the privity and consent of her husband he shall be conclusively presumed to be acting as well for himself so as to bind his own interest, and also as her agent for the purposes of this Act, unless before doing such work or service or furnishing such materials the person doing or furnishing the same shall have had actual notice to the contrary.

When husband's interest liable for work done or materials furnished on land of married woman.

8.—(1) The original contractor shall, whenever any payment of money shall become due from the owner, part owner, or lessee or whenever he desires to draw any money from the owner, part owner or lessee under such contract, or upon the written demand of any mortgagee, make out and give to the owner, part owner, lessee or mortgagee, or his agent a statement under oath, Form 1, showing the name of every mechanic or labourer in his employ who has not been paid in full and also showing the name of every sub-contractor in his employ, and of every person furnishing machinery or material, and giving the amount, if any, which is due or to become due to them; or any of them, for work done, or machinery or material furnished to him, which statement shall be accompanied by a certificate, Form 2, signed by every person furnishing machinery or material to him.

Original contractor to furnish owner with statement.

(2) The original contractor shall also deliver to such owner, part owner, lessee, or mortgagee, similar statement under oath from each sub-contractor, accompanied by like certificates from every person furnishing machinery or material to such sub-contractor.

Statement of sub-contractor.

(3) The owner, part owner or lessee, or his agent, shall retain out of any money then due, or to become due to the principal contractor, an amount sufficient to pay all demands that are due or to become due to such sub-contractors, me-

Amount to be retained by owner out of money due to contractor.

chanics, labourers and material men, and shown by the contractor's and sub-contractors' statements and the certificates of material men for work done or machinery, material or fuel furnished, and shall pay said money to them according to their respective rights.

Effect of
payments
by owner,
etc.

(4a) All payments so made shall, as between such owner, part owner, lessee, mortgagee, and such contractor, sub-contractors and persons performing labour or furnishing machinery, material or fuel, be considered the same as if paid to such original contractor, and such owner, part owner, lessee or mortgagee shall thereupon be released of any further liability to the extent of such payment so made.

No right of
action until
statements
furnished.

(4b) Until the statements provided for in this section are made and furnished in the manner and form as herein provided, the contractor shall have no right of action or lien against the owner, part owner, or lessee on account of such contract, and the sub-contractor shall have no right of action or lien against the owner, part owner, lessee or contractor, until he shall have furnished such statements, and any payments made by the owner, part owner, or lessee, before such statements are made, or without retaining sufficient money, if that amount be due, or it is to become due, to pay the sub-contractor, mechanics, labourers, or material men as shown by the said statements and certificates, shall be considered illegal, and made in violation of the rights of the persons intended to be benefited by this Act, and the rights of such sub-contractors, labourers and material men to a lien, shall not be affected thereby.

Where no
lien exists.

(5) When the sixty days within which any liens can be filed, have expired, and no liens on account of such improvement exist, then the failure of the contractor to furnish such affidavit as herein provided shall not act as a bar or defence in any suit or cause of action to collect any claim or claims by law as other claims are collected.

Where
owner not
in county.

(6) If neither such owner, part owner or lessee, nor his agent can be found within the county, then it shall not be necessary for the contractor or sub-contractor to make and deliver such statements and certificates as a prerequisite to a lien or to the institution of proceedings under this Act or other suit or proceedings.

For
protection
of interest
of owner,
etc.

(7) In order that the owner, part owner, lessee, mortgagee or contractor may be protected, he or his agent may at any time during the progress of the work demand in writing of the contractor or sub-contractor, any or all statements herein provided for, which shall be made by the contractor

or sub-contractor, and given to the owner, part owner, lessee, mortgagee, contractor or his agent, and if such contractor or sub-contractor fails to furnish such statements within ten days after demand is made, he shall be liable to such owner, part owner, lessee, mortgagee or contractor, making such demand, each time he so refuses or neglects to comply with such demand, in the sum of one hundred dollars and also for all actual damages occasioned by such neglect or refusal.

9.—(1) Any person, firm or corporation furnishing machinery or material, or performing labour of any kind, as aforesaid, whose name has been omitted from the sworn statement, certificate, or affidavit in this Act provided to be given by the contractor or sub-contractor, may serve on the owner, part owner, or lessee of the premises, or his agent, a notice in writing, Form III, which notice shall be such as will inform the owner, part owner, or lessee of the premises or his agent, of the nature of the machinery or material furnished, or to be furnished, or labour performed, the amount due or to become due therefor, and a description of the premises where furnished, with the street and number, if any, if such owner, part owner or lessee resides in, or has a known agent in the county, in charge of such house, mill, manufactory, furnace, building, appurtenance, fixture, bridge, structure, well, derrick, tank or pipe line, or other construction or improvement herein described.

Procedure where name omitted from statement, certificate or affidavit.

(2) Such notice shall be sufficient, if served at any time before final payment or distribution has been made in accordance with the statement or statements under oath.

When notice to be sufficient.

(3) It shall be the duty of any person, firm or corporation furnishing machinery or material, or performing labour of any kind, as aforesaid, to give a duplicate copy of the aforesaid notice to any mortgagee when requested in writing.

Duplicate of notice to be given to mortgagee upon request in writing.

(4) The service of such notice shall entitle the person serving the same to all the rights which he would have if his name and the amount due him as set forth in said notice were contained in the affidavit of a contractor or sub-contractor, and the owner, part owner, or lessee upon whom such notice is served shall be bound thereby the same as though the name of the server and the amount set forth in said notice were contained in a contractor's or sub-contractors' statement.

Rights of persons serving notice.

(5) The owner, part owner, or lessee who makes payments or distribution according to respective rights shall not be liable to the sub-contractors, material men or labourers for any greater amount than he contracted to pay the original contractor but shall not be entitled to set off any

Extent of liabilities of owner, etc., to sub-contractors, material men and labourers.

damages which he may sustain by reason of any failure or omission in the performance of such contract; the risk of all payments made to the original contractor after the owner, part owner, lessee or his authorized agent shall have received the notice above mentioned, or before the contractor shall have furnished him with the statement under oath as herein before provided, shall be upon the owner, part owner or lessee, until the expiration of sixty days within which claims for liens may be filed, as hereinafter provided, and no payment made to any contractor before the expiration of said sixty days shall defeat any lien, or any sub-contractor, material man or labourer, unless such payment has been distributed among the sub-contractors, material men or labourers or if distributed in part only, then to the extent of such distribution; but where the original contractor shall have furnished the statements and certificates as herein provided, the owner, part owner, or lessee, may pay to such contractor out of the sum lawfully due and payable to him under his contract at the time said statements and certificates are furnished, any amount lawfully in excess of the claims and demands due from said original contractor to sub-contractors, material men and labourers, as shown on said statements and certificates, or as shown by notices served on such owner, part owner, or lessee, by sub-contractors, material men and labourers as provided herein.

Owner may assume statements to be correct.

(6) In making such payments, the owner, part owner or lessee may assume the names and amounts set forth in said certificates and statements to be true and correct and such owner shall not be liable for errors or omissions of said names and amounts in such statements and certificates, unless a notice has been served as herein provided.

Registration of affidavit, under what circumstances.

10. Every person, or his agent or solicitor, whether contractor, sub-contractor, material man, mechanic or labourer, who deems himself insufficiently secured by the preceding provisions of this statute, may make and file for record in the registry office or land titles office in the county or counties in which said labour was performed or machinery, material or fuel furnished, an affidavit, Form IV, showing the amount due over and above all legal set-offs, a description of the property to be charged with the lien the name of the person to or for whom such machinery, materials or fuel were furnished and labour performed, and of the owner, part owner or lessee, if known, and such affidavit may be verified before any person authorized to administer oaths whether solicitor for the owner, lien claimant or other party interested or not, and such affidavit shall be filed within sixty days from the date on which the last of the machinery, materials or fuel shall have been furnished at the building,

or the last of the labour shall have been performed by the person claiming the lien.

The registrar or master of titles shall endorse upon every such affidavit the date and hour of its filing, and record the same in a separate book to be kept therefor.

Record of affidavit to be kept by registrar.

11. Every person filing such affidavit, as provided in the preceding section, shall, within thirty days after the filing thereof, serve on the owner, part owner or lessee of such premises or his agent, a copy thereof, but if neither of such persons can be found within the county where such premises are situated, then such copy shall be served by posting the same in some conspicuous place on said premises within ten days after the expiration of said thirty days.

Copy of affidavit to be served on owner, etc.

12. Where the construction, excavation, or improvement consists of two or more buildings united together, situated on the same lot or contiguous or adjacent lots, or of separate buildings upon contiguous or adjacent lots, or where machinery, material, or labour has been furnished for improvements or structures which are located on separate tracts or parcels of land but operated as an entire plant or concern, and erected under one general contract, the lien for the labour, machinery or material so furnished shall attach to all such constructions, excavations or improvements, together with the land upon, around or in front of, which such labour, machinery, materials and fuel are furnished, the same as hereinbefore provided in case of a single construction, excavation or improvement, and it shall not be necessary to file a separate lien for each construction, excavation or improvement.

When separate lien not necessary.

13.—(1) Any person furnishing labour, machinery, or material for the erection of a new building or structure upon land to which the person contracting for such erection has no legal title or to which the title shall be defective, shall have a lien therefor upon such building or structure and the forfeiture or surrender of any claim or claims of title, or equitable interest by such contracting person to such lands shall not defeat the lien upon such building or structure or such person furnishing labour or material, as aforesaid.

Where defective title to land.

(2) In case the property covered by a lien is held by the vendee in a land contract or by a lessee, and he surrenders or forfeits his right thereunder, the person or persons holding such liens may be subrogated to the rights of such vendee or lessee as his rights exist immediately before such surrender or forfeiture.

Where contract to purchase or lease.

Where claimant pays off prior lien.

(3) Any lien claimant may pay off any prior recorded lien, incumbrance or mortgage, and shall thereupon be subrogated to all the rights of the prior holder of such lien, encumbrance or mortgage.

Husband to be considered agent of his wife, under what circumstances.

14. When a married woman is owner of any boat, vessel or other watercraft or the owner of the land on which any house, mill, manufactory, or other building, appurtenance, fixture, bridge or other structure, or any gas well, oil well or other well, oil derrick, oil tank, oil or gas pipe line is constructed, erected, altered or repaired, or to which it is removed, as mentioned in section 1 hereof, or is the owner of the lands on which any such street, turnpike, road, sidewalk, way, drain, ditch or sewer is constructed, altered or repaired, or of lands abutting thereon, as mentioned in section 2 hereof, and has knowledge of any such construction, erection, alteration, repair or removal, as mentioned in said sections 1 and 2, this being done under a contract with the husband of such woman and without her express objection he shall be held to be the duly authorized agent of his wife therein.

Commencement of suit.

15.—(1) The owner of any property upon which a lien has been taken, may notify the person then owning such lien or his agent or solicitor to commence suit thereon, and if the owner of such lien fails to commence suit within sixty days after receiving such notice, the lien shall be null and void.

(2) Nothing herein shall prevent the claim being collected by law as other claims.

Person claiming lien to furnish statement when required by owner, etc.

16. Each person claiming a lien as aforesaid, shall from time to time, whenever required by such owner, part owner, lessee, mortgagee, or contractor or his agent, and within ten days from demand thereof furnish such person demanding the same a written statement of the amount of work and materials furnished to date of statement and then unpaid, as nearly as can then be ascertained under penalty of a forfeiture of his lien, and such owner, part owner, or lessee, shall within five days after demand of any person claiming a lien as aforesaid or of any mortgagee, produce the contract existing between himself and the contractors, if in writing, the notices filed with him by labourers, sub-contractors, or material men, as provided in section 4 hereof, the verified statements of the principal contractor and the sub-contractor given to him by the principal contractor, as provided in section 3 hereof and freely permit such lien claimant to make copies thereof, and shall also within five days after demand thereof furnish such lien claimant a

written statement of the amount due and unpaid on such contract, and if such owner, part owner or lessee shall neglect or refuse to allow any lien claimant or mortgagee to make such copies or shall neglect or refuse to make such written statement of the amount due or unpaid on such contract, as aforesaid, he shall be liable to such lien claimant, mortgagee, his representative or assigns each time he so refuses or neglects to comply with such demand in the sum of \$100, and also for all actual damages occasioned by such neglect or refusal.

17.—(1) The several liens herein provided for shall be ^{When liens deemed to commence.} liens from the date the first labour was performed, or the first machinery, materials, or fuel was furnished by the contractor under the original contract, and shall continue for ninety days after said affidavit is filed in the office of the registrar or master of titles. If the action be brought to enforce such lien within that time, it shall continue in force until final adjudication thereof, and such liens shall take priority as follows:—

First, If several liens be obtained by several persons upon the same job, in the manner hereinbefore prescribed, they shall have no priority among themselves, except that liens filed by persons performing manual labour shall have priority to the extent of the labour performed during the thirty days immediately preceding the date of the performance of the last labour.

Second. They shall be preferred to all other titles, liens, or encumbrances, which may attach to or upon such construction, excavation, machinery, or improvement or to or upon the land upon which they are situated, which shall either be given or recorded subsequent to the commencement of said construction, excavation or improvement.

(2) Except as hereinbefore provided in this section, the ^{Priority of mortgage, under what circumstances.} lien of a mortgage given in whole or in part to improve real estate, or to pay off prior encumbrances thereon, or both, the proceeds of which are actually used in such improvements, or to pay off prior encumbrances, or both, and which mortgage contains therein the correct name and address of said mortgagee, together with a covenant between the mortgagor and mortgagee authorizing and empowering the mortgagee to do all things in this Act provided by said mortgagee to be done, shall be prior to liens provided for in this Act after such improvement mortgage is recorded, to the extent that the proceeds thereof are used and applied for the purposes aforesaid, and pursuant to the provisions of this section, and such mortgage shall be a lien on the premises there-

in described from the time it is recorded for the full amount that is ultimately and actually paid out under said mortgage, regardless of the time when the money secured thereby is advanced.

Service of
notice by
labourer or
material
man.

(3a) Any labourer or material man who claims, or at any time can claim a right of lien on such premises for any labour performed or to be performed, or for machinery, or material furnished or to be furnished for such improvement, may serve personally or by registered mail a written notice on said mortgagee which notice shall show the kind and nature of the labour performed or to be performed or both, and of the machinery or material furnished, or to be furnished, or both, and the amount claimed or to be claimed therefor, and a description of the premises to which said material or labour has been or is to be furnished, and the amount claimed therefor, provided that where such notice is served by registered mail it shall not take effect until it is received by the mortgagee.

Form of
service.

(3b) Such notice may be served personally or by registered mail upon the mortgagee, provided, however, when such mortgagee is not a resident of a county and province where such premises are situated, and the correct name and address of such non-resident mortgagee are not given in such mortgage, such notice may be given by posting the same in some conspicuous place on said premises.

Payments
out of
mortgage
fund.

18. Such mortgagee shall not be required to pay out any of the mortgage fund for fifteen days after recording said mortgage, and at the end of such period, he may refuse to go forward with such loan or to pay out said fund, in which case, if no funds have been advanced, he shall make, execute, and deliver to the mortgagor, a proper discharge of said mortgage, but if said mortgagee elects to complete said loan he shall in order to obtain the priority hereinbefore set forth, distribute said mortgage fund in the following order, to wit:—

Mortgagee
may pay off
prior en-
cumbrance.

First—Said mortgagee may at any time pay off said prior encumbrance or encumbrances, or withhold the amount thereof for that purpose.

Residue
of fund.

Second—Out of the residue of said fund such mortgagee may at any time retain sufficient funds to complete the improvement according to the original plans, specifications and contracts, and within the original contract price.

Necessary
payments
for labour.

Third—Such mortgagee may from time to time pay on the owner's order, directly to contractors or sub-contractors, or to the owner himself if he is his own contractor, such

sums as said owner may certify to be necessary to meet and pay labour payrolls for said improvement.

Fourth—Such mortgagee shall pay to the order of the owner the accounts of such material men and labourers, as have filed with such mortgagee a written notice as hereinbefore provided, the amounts due for material then furnished and labour then performed on said improvement; and shall retain out of said mortgage fund, such money to become due as is shown by said notice so served and shall hold such money, and shall pay on the order of the owner, the amounts due to such persons, firms or corporations, who have served such notices as aforesaid, if said mortgagee has sufficient money in his hands so to do and also to complete said improvement as aforesaid; but if, such mortgagee has funds in his hand insufficient to pay all such labourers and material men in full and to complete said improvement, he shall retain sufficient to complete said improvement and to distribute the balance *pro rata* among said material men and labourers who have filed such notices.

What
accounts to
be paid by
mortgagee.

Fifth—If such owner should refuse to issue an order to pay the amount of such notice or notices filed, said mortgagee shall retain the whole amount claimed until the proper amount has been agreed upon or judicially determined; provided, always that said mortgagee may withhold sufficient funds to complete said improvement as hereinbefore provided.

Where
owner re-
fuses to
issue order
to pay.

Sixth—Such mortgagee shall pay out on the owner's order, directly to material men or labourers who have performed labour or furnished material for said improvement.

Payments
to labourers
and material
men.

Seventh—Such mortgagee shall pay the balance, if any, of said mortgage fund after said improvement is completed to the owner, or to whomsoever he may direct.

Balance
of fund.

19. In case said mortgagee pays out said fund otherwise than as hereinbefore provided, then the lien of said mortgage to the extent that said funds had been otherwise paid, shall be subsequent to liens of contractors, sub-contractors, material men and labourers; but in no case shall such mortgagee be obligated to pay or to be liable at law for more than the principal of said mortgage.

Liability of
mortgagee
for pay-
ments made
otherwise
than as
herein
provided.

20. All payment and distributions made by the mortgagee as herein provided shall be considered the same as if paid to such owner, part owner, lessee, or mortgagor under said mortgage, and shall also be considered the same as if paid to the original contractor, and when paid pursuant to the provisions of this section there shall be no further liability on the part of such mortgagee, but nothing in this Act contained shall require the mortgagee to ascertain by affi-

Payments
by
mortgagee,
effect of.

davit or otherwise the respective claims of contractors, sub-contractors, labourers or material men, or to determine priorities among lien claimants.

Mortgagee not responsible for mistake of owner as to priorities.

21. The mortgagee shall not be responsible for a mistake of the owner in determining priorities, or for any failure of the payee to properly distribute funds paid on the written order of the owner.

Mortgagee to inform person making request of amount of balance of mortgage fund.

22. Any contractor, sub-contractor, material man or labourer may at any time serve on any mortgagee a written request demanding to know the exact balance of the mortgage fund in his or its possession and the aggregate amount included in the notices filed with said mortgagee at the time of the receipt of such notice; and such mortgagee shall correctly inform the person so serving such notice of such exact balance and the aggregate amount included in the notices filed, and if such mortgagee fails to inform said contractor, sub-contractor, material man or labourer serving said written demand, the exact balance of the mortgage fund in his or its possession at the time of the receipt of such notice, said mortgagee shall be liable to such contractor, sub-contractor, material man and labourer making such demand, each time he so refuses or neglects to comply with such demand, in the sum of \$100.

Rule of construction.

23. The provisions of this section shall, as to mortgages herein contemplated, have control over all other provisions relating to said mechanics, material men, contractors, sub-contractors, labourers and all liens that can be had under the provisions of this Act, anything to the contrary notwithstanding, and shall be liberally construed in favour of such mortgagees, a substantial compliance by such mortgagee being sufficient.

Priority of liens.

24. The lien of a sub-contractor shall be superior to any already taken or to be taken by the principal contractor in respect of the same labour, machinery, or material and the liens of labourers, mechanics, or persons furnishing machinery or material to a contractor or sub-contractor, shall be superior to any lien already taken or to be taken by such contractor or sub-contractor indebted to them in respect of such labour, machinery, or material, and an assignment or transfer by the principal contractor or sub-contractor, of his contract with the owner or principal contractor, as well as all proceedings in the attachment, or otherwise, against such principal contractor or sub-contractor, to subject or incumber his interest in such contract shall save and be subject to the claim of every labourer, mechanic, sub-contractor or material man, who shall furnish any labour, machinery or material towards the construction, excavation, alteration, removal or improvement as designated in this Act.

FORM I.

Statement of { Sub Contractor.
 { Original }
Ontario.....19....
 Province of Ontario.....County, ss:
, being first duly sworn, says that
 he is¹.....of².....the
 Sub { contractor having a contract with³.....
 Original }

 the⁴.....
 for⁴.....
 situated on or around or in front of the following described
 property⁵.....

 whereof.....was the owner, part owner, or lessee.

Deponent further says that the following shows the names of
 every sub-contractor in the employ of the said².....
giving the amount, if any, which is due, or
 to become due to them, or any of them, for work done, or machin-
 ery, material or fuel furnished to date hereof, under said contracts.

NOTE.—This statement must be accompanied by a similar sworn
 statement signed by each of the sub-contractors listed below:

Name.	Trade.	Amount due or to become due for ma- terial furnished to date hereof.
.....
.....
.....
.....

MATERIAL MEN.

Said deponent further says that the following shows the names of
 every person furnishing machinery or material to².....
 giving the amount, if any, which is due or to become due to them,
 or any of them, for machinery, material or fuel furnished to date
 hereof, under said contracts.

Name.	Kind of machinery or material.	Amount due or to become due for work and material to date hereof.
.....
.....
.....
.....
.....

NOTE.—The above must be accompanied by "Certificate of
 material man" (see certificate below).

LABOUR.

Said deponent further says that the following shows the names
 of every unpaid labourer in the employ of².....
 furnishing labour under said contract, giving the amount, if any,
 which is due, or to become due, for labour done to date hereof.

NOTE.—If the fact is that every labourer has been paid in full,
 then recite: "Every labourer has been paid in full." If not, then
 give each unpaid labourer's name and the amount due or to be-
 come due.

Name.	Hours.	Amount due or to become due for labour furnished to date hereof.
-------	--------	---

.....

That the amounts due or to become due to said sub-contractors, material men and labourers, for work done, or machinery or material furnished to date hereof, to²..... is fully and correctly set forth opposite their names, respectively, in the aforesaid statements, and further evidenced by certificates of every person furnishing material or machinery hereto attached, and made a part hereof.

Deponent further says that²..... has not employed, or purchased, or procured machinery or material from, or sub-contracted with any person, firm or corporation other than those above mentioned, and owes for no labour performed, or machinery or material, furnished under said contracts, other than above set forth.

Sworn to before me and subscribed in my presence,
 at.....Ontario, this.....day of.....
 A.D. 19.....

.....
 Notary Public.

NOTE.—1. Secretary, treasurer, one of firm, or agent, as case may be.

2. Name.

3. "Owner," "part-owner," "lessee," or "authorized agent of the owner, part-owner, or lessee," or "original" or "principal contractor under a contract with..... the owner, part-owner, or lessee," as the case may be.

4. "Erecting, altering, repairing or removing a house, mill, manufactory, or any furnace or furnace material therein, or other building appurtenances, fixture, bridge or other structure," or "digging, drilling, boring, operating, completing and repairing of any gas well, oil well, or other well," or "altering, repairing, or constructing any oil derrick, oil tank, oil or gas pipe line," or "furnishing tile for the drainage of any lot or land," as the case may be.

5. Accurate description of property.

FORM II.

CERTIFICATE OF MATERIAL MEN.

.....Ontario.....19.....

The undersigned certify that to the date hereof they have furnished machinery or material as set out herein to²..... for⁴.....

.....

 situated on or around or in front of the property described in the foregoing affidavit; that the nature of said machinery or material

furnished, the date when they commenced furnishing the same, and the amount now due or owing to each of them, is correctly stated and set opposite their respective names, or they have been paid in full if so acknowledged hereon.

Name.	Machinery or materials, and nature of the same.	Amount due or to become due to date hereof.
.....
.....
.....
.....
.....
.....
.....

In lieu of such certificate there may be furnished a written waiver of lien, a written release, or receipt.

FORM III.

NOTICE.

To....., take notice that the undersigned is furnishing, commencing on the.....day of (or about to furnish) to certain labour or material for constructing (altering, erecting, improving, repairing, removing, digging or drilling, as the case may be), a certain.....situated on or around, or in front of, the following described property:..... and there is now owing, or will become owing, to the undersigned, on account hereof, the sum of.....dollars,

FORM IV.

AFFIDAVIT FOR MECHANIC'S LIEN.

Province of Ontario.
County of

A. B., of being first duly sworn, says that he furnished certain labour (machinery or material) in and for constructing (altering, erecting, improving, repairing, removing, digging, or drilling, as the case may be) a certain..... situated on the land hereinafter described, in pursuance of a certain contract with C. D., the owner (part owner, or lessee, contractor, sub-contractor or other person, as the case may be). The last of such labour was performed (or machinery or material furnished, or both) on the.....day of..... 19...., and there is justly and truly due deponent therefor from the said C. D., over and above all legal set-offs, the sum of dollars, for which amount deponent claims a lien on said land (or building or leasehold) of which..... is or was the owner (part owner or lessee, as the case may be), which premises are described as follows:.....

A. B.

Sworn to before me and subscribed in my presence this..... day of..... 19.....

No. 114.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Liens of Mechanics
and Wage-Earners, Supply Men and
others.

1st Reading,	18th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SINCLAIR.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Toronto and Hamilton Highway Commission Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Toronto and Hamilton Highway Commission Act* 5 Geo. V.
is amended by adding the following as section 33: c. 18,
amended.

33. By-law No. 912 of the Corporation of the Town-By-law No.
ship of Toronto, being a by-law to raise the sum 912 of Tp. of
of seventy-four thousand six hundred and sev- Toronto,
enty-five dollars and eighty-five cents upon and By-law
debentures to provide for the Township of No. 370 of
Toronto's share of the cost of the Toronto and New
Hamilton Highway, and By-law No. 370 of Toronto, confirmed.
of the town of New Toronto, being a by-law
to provide for borrowing the sum of
\$21,733.93 upon debentures to pay in part for
the construction of the Toronto and Hamilton
Highway within the limits of New Toronto, and
works incidental thereto, and all debentures
issued or which may hereafter be issued under
said by-laws or any of them are hereby con-
firmed and declared to be legal, valid and bind-
ing upon such municipal corporations and the
ratepayers thereof respectively, and shall not be
open to question upon any ground whatever.

2. This Act shall come into force on the date on which it receives the Royal Assent. Date when
Act takes
effect.

No. 115.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Toronto and Hamilton
Highway Commission Act.

1st Reading.	18th February, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. Biggs.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Provincial Highway Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Provincial Highway Act*, 1921. Short title.

2. Section 5 of *The Provincial Highway Act* is amended by adding thereto the following subsection: 1917,
c. 16, s. 5,
amended.

(4) Notwithstanding anything in any Act otherwise provided, an original road allowance which has been closed or occupied by an abutting owner or other person, when required for the purposes of a provincial highway may be opened for public use by direction of the Lieutenant-Governor in Council, and ownership of any road allowance so opened shall thereafter be vested in the Crown in the same manner as a road otherwise assumed for provincial highway purposes. Right to
open up
and use
original
road
allowance.

3. Section 11 of *The Provincial Highway Act* is amended by striking out the word "municipality" where it occurs in the first, fourth and fifth lines and inserting in lieu thereof the word "county" and by adding to the said section the following subsection:— 1917,
c. 16, s. 11,
amended.

(2) The municipal corporation of any municipality other than a county or city and a park commission, board or commission having authority over the area in which a road to be assumed as part of a provincial highway lies, may enter into an agreement with the department for a contribution by the corporation of such municipality or by a park commission, board or commission, of an amount not exceeding thirty per cent. of the Contribu-
tions by
municipali-
ties other
than county
or by
board or
commission.

expenditure made by the department in such area, and the corporation of the municipality shall have the like powers as a county contributing under subsection 1 of this section, and the park commission, board or commission shall be liable for the amount so agreed upon and the same shall be payable in the manner provided by subsections 10 and 11 of section 12.

1917,
c. 16, s. 12,
amended.

4. Section 12 of *The Provincial Highway Act, 1921*, is amended by adding thereto the following subsections:—

Deductions
from other
grants on
default in
municipal
contribu-
tions.

- (9) Where the corporation of a county or other municipality is in default with respect to any payments due to the province under this Act, the amount so in default may be deducted from any sums due to the county or other municipality and payable out of the Highway Improvement Fund.

Contribu-
tions by
commission
or other
controlling
body.

- (10) Where a road assumed as a provincial highway under this Act was at the time it was so assumed under the control of a park commission, or any board or commission established by statute and having authority over the area in which the road lies, the amount or proportion of expenditure which would under this Act be apportioned to a municipal corporation had the road been under the control of such corporation, may be apportioned by the engineer to and shall be a debt due to Ontario from such park commission, board or commission and shall be payable out of the revenues of such commission.

Provision
for
payment.

- (11) It shall be the duty of such park commission, board or commission to provide for the payment of any contribution required under subsection 10, in its estimates of annual expenditure, and every such park commission, board or commission shall have power to do all things necessary to provide for the payment of such contribution, and where authorized by statute to levy rates upon property within its jurisdiction, shall levy all necessary rates for the purposes hereof, anything in any Act under which such park commission, board or commission is established to the contrary notwithstanding.

5. Subsection 3 of section 14 of *The Provincial Highway Act* is amended by adding at the end thereof the following words: "and it shall not be necessary to obtain the assent of the electors to any by-law for the issue of such debentures, nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*." 1917, c. 16, s. 14, subs. 3, amended. Assent of electors not required.

6. Section 14 of *The Provincial Highway Act* is amended by adding thereto the following subsection: 1917, c. 16, s. 14, amended.

- (4) Where it is desirable and expedient that a highway or portion thereof within a city, town or village, including any necessary bridges, should be constructed as a continuation of a provincial highway or a provincial suburban highway, the department may designate such highway or portion thereof within the city, town or village to be constructed by the city, town or village, and the council of the said city, town or village may pass by-laws for issuing, and may issue debentures under the provisions of *The Municipal Act*, to be payable in twenty years at the furthest from the time or times when such debentures are issued, for an amount sufficient to pay the cost of the construction of the highway and bridges within the said city, town or village, but it shall not be necessary for the council to obtain the assent of the electors to any by-law for the issue of debentures under this subsection nor to observe the formalities in relation thereto prescribed by *The Municipal Act*. Continuing provincial highway through city, town or village.

No. 116.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Provincial
Highway Act.

1st Reading,	18th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. Briggs.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Provincial Highway Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Provincial Highway Act, 1921.* Short title.

2. Section 5 of *The Provincial Highway Act* is amended 1917,
c. 16, s. 5,
amended. by adding thereto the following section:—

5a. Notwithstanding anything in any other Act contained, an original road allowance which has not been opened, or which has been occupied or partly occupied by an abutting owner or other person may be entered upon, taken, used and occupied for the purposes of a provincial highway provided that where any person shall have acquired the title to any land taken under this section, he shall be entitled to the like compensation as in the case of land expropriated for the purposes of a provincial highway. Right to
open up
and use
original
road
allowance.

3.—(1) Section 11 of *The Provincial Highway Act* is 1917,
c. 16, s. 11,
amended. amended by striking out the word “municipality” where it occurs in the first, fourth and fifth lines and inserting in lieu thereof the word “county” and by adding to the said section the following subsection:—

(2) The municipal corporation of any municipality other than a county or city and a park commission, board or commission having authority over the area in which a road to be assumed as part of a provincial highway lies, may enter into an agreement with the department for a contribution by the corporation of such municipality or by a park commission, board or commission, of Contribu-
tions by
municipali-
ties other
than county
or by
board or
commission.

an amount not exceeding thirty per cent. of the expenditure made by the department in such area, and the corporation of the municipality shall have the like powers as a county contributing under subsection 1 of this section, and the park commission, board or commission shall be liable for the amount so agreed upon and the same shall be payable in the manner provided by subsections 10 and 11 of section 12.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of January, 1921.

1917,
c. 16, s. 12,
amended.

4. Subsection 8 of section 12 of *The Provincial Highway Act*, as amended by section 3 of *The Provincial Highway Amendment Act, 1919*, is repealed and the following subsections substituted therefor:—

Deductions
from other
grants on
default in
municipal
contribu-
tions.

(9) Where the corporation of a county or other municipality is in default with respect to any payments due to the province under this Act, the amount so in default may be deducted from any sums due to the county or other municipality and payable out of the Highway Improvement Fund.

Contribu-
tions by
commission
or other
controlling
body.

(10) Where a road assumed as a provincial highway under this Act was at the time it was so assumed under the control of a park commission, or any board or commission established by statute and having authority over the area in which the road lies, the amount or proportion of expenditure which would under this Act be apportioned to a municipal corporation had the road been under the control of such corporation, may be apportioned by the engineer to and shall be a debt due to Ontario from such park commission, board or commission and shall be payable out of the revenues of such commission.

Provision
for
payment.

(11) It shall be the duty of such park commission, board or commission to provide for the payment of any contribution required under subsection 10, in its estimates of annual expenditure, and every such park commission, board or commission shall have power to do all things necessary to provide for the payment of such contribution, and where authorized by statute to levy rates upon property within its jurisdiction, shall levy all necessary rates for the purposes hereof, any-

thing in any Act under which such park commission, board or commission is established to the contrary notwithstanding.

5. Subsection 3 of section 14 of *The Provincial Highway Act* is amended by adding at the end thereof the following words: "and it shall not be necessary to obtain the assent of the electors to any by-law for the issue of such debentures, nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*." 1917, c. 16, s. 14, subs. 3, amended. Assent of electors not required.

6. Section 14 of *The Provincial Highway Act* is amended by adding thereto the following subsection: 1917, c. 16, s. 14, amended.

- (4) Where it is desirable and expedient that a highway or portion thereof within a city, town or village, including any necessary bridges, should be constructed as a continuation of a provincial highway or a provincial suburban highway, the department may designate such highway or portion thereof within the city, town or village to be constructed by the city, town or village, and the council of the said city, town or village may pass by-laws for issuing, and may issue debentures under the provisions of *The Municipal Act*, to be payable in twenty years at the furthest from the time or times when such debentures are issued, for an amount sufficient to pay the cost of the construction of the highway and bridges within the said city, town or village, but it shall not be necessary for the council to obtain the assent of the electors to any by-law for the issue of debentures under this subsection nor to observe the formalities in relation thereto prescribed by *The Municipal Act*. Continuing provincial highway through city, town or village.

No. 116.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Provincial
Highway Act.

1st Reading, 18th February, 1921.
2nd Reading, 24th February, 1921.
3rd Reading, 1921.

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. Biggs.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Police Magistrates Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Police Magistrates Amendment Act, 1921.* Short title.

2. *The Police Magistrates Act* is amended by adding thereto the following section:— Rev Stat.,
c. 88, s.12,
amended.

12a. The Lieutenant-Governor in Council may make regulations for the appointment and remuneration of a shorthand writer in any city police court, and the said remuneration shall be paid by the municipal corporation of the city. Appointment of
shorthand
writer.

No. 117.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Police Magistrates
Act.

1st Reading,	21st February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Police Magistrates Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Police Magistrates Amendment Act, 1921.* Short title

2. *The Police Magistrates Act* is amended by adding thereto the following section:— Rev Stat.,
c. 88, s. 12,
amended.

12a.—(1) The Lieutenant-Governor in Council may appoint a stenographic reporter to take down evidence before a police magistrate appointed for a city or town, and may fix the remuneration for such stenographic reporter and define the class of cases in which he shall be employed and make regulations respecting the duties of every stenographic reporter so appointed. Appointment of shorthand writer.

(2) The salary or other remuneration of the stenographic reporter shall be paid by the municipal corporation of the city, or town. Salary.

12b.—Where a police magistrate in a city has attained the age of seventy years the council of the city may by by-law provide for the payment to such police magistrate during his life-time of an annual sum by way of superannuation allowance. Superannuation of police magistrate.

No. 117.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Police Magistrates
Act.

1st Reading,	21st February,	1921.
2nd Reading,	7th March,	1921.
3rd Reading,		1921.

(*Reprinted as amended by Committee of
the Whole House.*)

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to provide for the Appointment of Police Magistrates with Extended Jurisdiction.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Police Magistrates Ex- Short title.
tended Jurisdiction Act, 1921.*

2. Sections 13 to 23 of *The Police Magistrates Act* are repealed, but such repeal shall not apply to or affect any appointment of a police magistrate heretofore made under any of the said sections, and every such police magistrate, unless otherwise directed by the Lieutenant-Governor in Council, shall have and may exercise the same powers, authority and jurisdiction as before the passing of this Act. Rev. Stat.
c. 88,
ss. 13-23
repealed.

3. Notwithstanding anything contained in *The Police Magistrates Act*, the Lieutenant-Governor in Council may appoint a police magistrate for any municipality or for any number of adjacent municipalities, or for any municipality or municipalities and territory without municipal organization. Appoint-
ment of
police
magistrate
with
extended
jurisdiction.

4. Every such police magistrate shall be paid an annual salary to be fixed by the Lieutenant-Governor in Council, and such salary and all other expenses of the office shall be payable out of such sums as may be appropriated by the Legislature from time to time for the payment of the salaries and expenses of police magistrates. Salaries.

5.—(1) Subject to the provisions of subsections 2 and 3, a police magistrate appointed under this Act shall have exclusive jurisdiction or concurrent jurisdiction with any other police magistrate in the territory or in any portion of the territory described in his commission as the commis- Jurisdiction.

sion shall direct, and no justice of the peace and no police magistrate except one having concurrent jurisdiction with a police magistrate appointed under this Act shall admit to bail or discharge a prisoner or adjudicate upon or otherwise act after judgment in any case arising within the territory described in such commission except in the case of the illness or absence, or at the request of a police magistrate appointed under this Act.

Exceptions.

(2) Nothing in subsection '1 shall prevent any other police magistrate or any justice of the peace acting within his territorial jurisdiction from taking an information or issuing a search warrant or a summons or warrant returnable before a police magistrate appointed under this Act or from hearing and determining a prosecution under a by-law of any municipality.

Justice may act with police magistrate on request.

(3) Nothing in this Act shall prevent a justice of the peace from acting with a police magistrate on the request of the police magistrate.

Place of holding court.

6.—(1) A police magistrate appointed under this Act may sit or hold his court in any town or city within the limits of a county or district any part of which is within the territory described in his commission, whether such town or city is or is not excluded from his jurisdiction, and may in any such town or city hear complaints and dispose thereof as police magistrate in respect of all matters arising within such territory and do therein all acts, matters and things in the discharge of the duties and powers of his office.

Use of court room or town hall.

(2) A police magistrate appointed under this Act shall have the right to use any court room or town hall belonging to a county or municipality which is included in his commission, but in so using a court room or town hall he shall not interfere with the ordinary use of the court room for the other courts or with the use of the town hall for the purposes for which the same is maintained.

Fees and costs.

7. Every police magistrate appointed under this Act shall be entitled to collect the same fees and emoluments as a justice of the peace, but such fees and emoluments shall be accounted for by him and shall be paid over to the Treasurer of Ontario, but this shall not authorize the imposition of fees upon an inspector or other officer appointed under *The Ontario Temperance Act* in respect of the case of a complaint prosecuted by him under that Act.

8. Within the territory comprised in his commission, every such police magistrate shall possess the like jurisdiction and shall have and may exercise the like powers and authority of a police magistrate appointed under *The Police Magistrates Act*. Jurisdiction.

9.—(1) A judge or junior judge of a county or district court may be appointed police magistrate under this Act. Appoint-
ment of
County
Judge as
police
magistrate.

(2) This section shall not come into force until a day to be named by the Lieutenant-Governor by his proclamation.

10. Except as otherwise provided in his commission, a police magistrate appointed under this Act shall not practise any profession or engage in any business, trade or occupation, but shall devote his whole time to the performance of his duties as police magistrate. Police
magistrate
not to
engage in
other
profession.

11. It shall not be necessary for a police magistrate appointed under this Act to be actually resident within the territory for which he is appointed. Residence
of police
magistrate.

12. The Lieutenant-Governor in Council may make regulations with respect to police magistrates appointed under this Act,— Regulations.

- (a) Providing for clerical and other assistants for a police magistrate;
- (b) Prescribing the office hours of police magistrates;
- (c) Providing that a police magistrate shall keep his office at a particular building and prescribing the equipment, arrangement and furnishings of such office;
- (d) Authorizing the purchase or lease of a suitable building for the office of a police magistrate and for the holding of police magistrates' courts;
- (e) Fixing the remuneration of police magistrates according to the population of the territory included in the commission or otherwise, and fixing the salaries or other remuneration of clerical and other assistants of a police magistrate;

- (f) Fixing the periods and manner in which the fees and emoluments referred to in section 7 shall be paid over to the Treasurer of Ontario;
- (g) Providing for the appointment of an inspector of the offices, books and accounts of the police magistrates appointed under this Act, and defining the powers and duties of such inspector;
- (h) Respecting the appointment of stenographic reporters to take down evidence heard before a police magistrate appointed under this Act, and fixing the fees and charges therefor, and for defining the class of cases in which stenographic reporters may be so employed and the terms and conditions of such employment;
- (i) Generally for the better carrying out of the provisions of this Act.

Commence-
ment of
Act.

13. Except as otherwise herein provided, this Act shall come into force on the 1st day of July, 1921.

No. 118.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to provide for the Appointment of
Police Magistrates with Extended Juris-
diction.

1st Reading,	21st February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RANEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 119.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Clause *a* of paragraph 45 of section 400 of *The Municipal Act* is amended by inserting after the word “cement” in the fourth line thereof, the words “or bricks or tiles.”

Rev. Stat.,
c. 192,
par. 45,
amended.

No. 119.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading.	21st February, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. McNAMARA.

TORONTO:

PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting The Adoption of Children.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Adoption Act, 1921.* Short title.

2. In this Act:— Interpretation.

(a) "Judge" shall mean judge of the county or district court and shall include a junior or acting judge; "Judge."

(b) "Provincial Officer" shall mean an officer in the public service designated for that purpose by the Lieutenant-Governor in Council; "Provincial officer."

(c) "Regulations" shall mean regulations made under the authority of this Act. "Regulations."

3.—(1) A person of full age may apply to a Judge for leave to adopt as his child another person younger than himself unless such other person is of the following relationship to him either by the whole or half blood:— Who may apply for order.

(a) Wife or husband;

(b) Brother or sister;

(c) Uncle or aunt.

(2) Where the applicant has a husband or wife living who is competent to join in the application, such husband or wife shall join therein and upon adoption the child shall in law be the child of both. Husband or wife of applicant must join.

Persons' consent required.

4.—(1) An order for adoption shall not be made except as hereinafter provided without the consent in writing of the Provincial Officer and of the following:—

- (a) The child if he has attained the age of fourteen years;
- (b) The husband of the child if the child is a married woman;
- (c) The lawful parents or surviving parent of the child or the parent having the lawful custody of the child if the parents are divorced or living separately;
- (d) The former guardian, if any, of the child;
- (e) The mother only, if the child was born out of wedlock;
- (f) The previous adopting parent or parents where the child has been previously adopted;

Proviso.

(2) Provided:—

- (a) That a person whose consent is hereby required shall not thereby be debarred from being the applicant;
- (b) That the fact that the child was born out of wedlock shall in no case appear upon the record.

When consent to be dispensed with.

5. The consent of the persons named in subsection 1 of section 4, other than the child or her husband, if any, shall not be required if the person to be adopted is of full age, nor shall the consent of any such person other than the child be required if:—

- (a) Such person is adjudged by the Judge upon evidence submitted to him to be insane or mentally incompetent or unfit to give such consent; or
- (b) Such person is undergoing sentence for a term of which more than three years remain unexpired at the date of the application; or
- (c) Such person is a person whose duty it is to provide proper care and maintenance for such child and has neglected so to do; or

- (d) The Judge for reasons which appear to him sufficient and which are approved by the Provincial Officer, deems it necessary or desirable that such consent should be dispensed with.

6.—(1) If the written consent required by the provisions of the two last preceding sections is not submitted with the application, the Judge may order notice of the application to be served on the parties whose consent is required.

Notice to persons whose consent is required.

(2) The Judge may order the service required by subsection 1 to be made substitutionally or by publication of the notice once in each of three successive weeks in such newspaper as the Judge may order, the last publication thereof to be at least seven clear days before the time appointed for the hearing.

Service of notice.

(3) The Judge may require additional notice and consent.

Additional notice and consent.

7. If, after such notice, a person whose consent is required does not appear and object to the adoption, or appears and objects upon grounds which the Judge deems insufficient having in view the interests of the child and of its parents, the Judge may dispense with his consent.

Dispensing with consent after notice.

8. The Judge, if satisfied of the ability of the applicant or applicants to fulfil the obligations and perform the duties of a parent towards the child to be adopted, and of the fitness and propriety of the adoption having regard to the welfare of the child, and the interests of the natural parents if living, may make an order for the adoption of the child by the applicant or applicants.

Order of adoption.

9.—(1) An order for the adoption of a child under fourteen years of age shall not be made unless the Provincial Officer certifies in writing:—

Certificate of provincial officer as to prior residence.

- (a) That the child has lived for at least two years previously with the applicant, and that during that period the conduct of the applicant and the conditions under which the child has lived have been such as to justify the making of the order; or

- (b) That the applicant is to the knowledge of the Provincial Officer a fit and proper person to have the care and custody of the child, and that for reasons set out in the certificate the period of residence may be dispensed with.

Effect of
order.

10. An order for adoption shall:—

- (a) Divest the natural parent, guardian or person in whose custody the child has been, of all legal rights in respect of such child, and free such person from all legal obligations and duties as to the maintenance of such child;
- (b) Make such child, for the purposes of the custody of the person and rights of obedience, to all intents and purposes the child of the adopting parent or parents;
- (c) Give the child the same right to any claim for nurture, maintenance and education upon his adopting parent or parents that he would have were they his natural parent or parents.

Right of
adopted
child to
inherit.

11.—(1) A person who has been adopted in accordance with the provisions of this Act shall take the same share of property which the adopting parent could dispose of by will as he would have taken if born to such parent in lawful wedlock and he shall stand in regard to the legal descendants, but to no other kindred of such adopting parent, in the same position as if he had been born to him.

Inherit-
ance from
adopted
child.

(2) If the person adopted dies intestate his property acquired by himself or by gift or inheritance from his adopting parent or from the kindred of such parent, shall be distributed according to the laws of this Province relating to intestacy among the persons who would have been his kindred if he had been born to his adopting parents in lawful wedlock, and the property received by gift or inheritance from his natural parents or kindred shall be distributed in the same manner as if no act of adoption had taken place.

Right to
inherit
from
natural
parents.

(3) Where a person is adopted he shall not lose his right to inherit from his natural parents or kindred.

"Child,"
meaning of
in grant,
etc.

12. The word "child," or its equivalent, in a grant, trust-settlement, entail, devise or bequest, shall include a child adopted by the settlor, grantor or testator, unless the contrary plainly appears by the terms of the instrument; but if the settlor, grantor or testator is not himself the adopting parent, the child by adoption shall not have, under such instrument, the rights of a child born in lawful wedlock to the adopting parent unless it plainly appears to have been the intention of the settlor, grantor or testator to include an adopted child.

13. Except in so far as they are in conflict with the provisions of this Act, the rights of a person resident out of the Province who has been adopted in accordance with the laws of any of the Provinces of the Dominion of Canada, shall upon proof of such adoption be entitled in this Province to the same rights of succession as to property as he would have had in the Province in which he was adopted.

Rights of
adopted
non-resident
as to
succession
in Ontario.

14. If the child has been previously adopted, all the legal consequences of the former order of adoption shall, upon a subsequent adoption, determine, except so far as any interest in property may have vested in the adopted child, and an order to that effect shall be made by the Judge and shall be forwarded to the Registrar-General and be recorded in the manner prescribed by the regulations.

Effect of
order on
previous
adoption.

15. A copy of every order of adoption made under this Act, certified by the Judge, shall be forwarded to the Registrar-General of Ontario and shall be recorded by him in the manner prescribed by the regulations.

Trans-
mitting
copy of
order for
record.

16. Every application under this Act shall be heard by the Judge in his Chambers.

Application
to be
heard in
chambers.

17. The Lieutenant-Governor in Council may make Regulations:—

Regula-
tions.

- (a) For the recording of all orders of adoption made under this Act in the office of the Registrar-General;
- (b) Respecting the procedure to be followed upon an application for an order of adoption;
- (c) For fixing the fees, costs, charges and expenses payable on proceedings under this Act and for dispensing with the payment of such fees, costs, charges and expenses where owing to lack of means or any other reason the Judge deems such action advisable;
- (d) For the payment of the expenses of the Provincial Officer in carrying out the provisions of this Act out of such sums as may be appropriated by the Legislature for that purpose;

(e) For designating a Provincial Officer and for the appointment of such local and other assistants to the Provincial Officer, and for authorizing any such assistants to act for and in the place of the Provincial Officer;

(f) Generally for the better carrying out of the provisions of this Act.

Commence-
ment of
Act.

18. This Act shall come into force on the 1st day of July, 1921.

No. 120.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Adoption of
Children.

1st Reading,	21st February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting The Adoption of Children.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Adoption Act, 1921.* Short title.

2. In this Act:—

Interpretation.

(a) "Judge" shall mean Judge or Junior or Acting "Judge."

Judge of the County or District Court, and shall include a Judge of a Juvenile Court where such Judge of a Juvenile Court has been designated by the Lieutenant-Governor in Council a Judge within the meaning of this Act:

(b) "Provincial Officer" shall mean an officer in the "Provincial officer." public service designated for that purpose by the Lieutenant-Governor in Council;

(c) "Regulations" shall mean regulations made under "Regulations." the authority of this Act.

3.—(1) A person of full age may apply to a Judge for Who may apply for order. leave to adopt as his child another person younger than himself unless such other person is of the following relationship to him either by the whole or half blood:—

(a) Wife or husband;

(b) Brother or sister;

(c) Uncle or aunt.

(2) Where the applicant has a husband or wife living Husband or wife of applicant must join. who is competent to join in the application, such husband or wife shall join therein and upon adoption the child shall in law be the child of both.

Persons'
consent
required.

4.—(1) An order for adoption shall not be made except as hereinafter provided without the consent in writing of the Provincial Officer and of the following:—

- (a) The child if he has attained the age of fourteen years;
- (b) The husband of the child if the child is a married woman;
- (c) The lawful parents or surviving parent of the child or the parent having the lawful custody of the child if the parents are divorced or living separately;
- (d) The former guardian, if any, of the child;
- (e) The mother only, if the child was born out of wedlock;
- (f) The previous adopting parent or parents where the child has been previously adopted;

Proviso.

(2) Provided:—

- (a) That a person whose consent is hereby required shall not thereby be debarred from being the applicant;
- (b) That the fact that the child was born out of wedlock shall in no case appear upon the record.

When con-
sent to be
dispensed
with.

5. The consent of the persons named in subsection 1 of section 4, other than the child or her husband, if any, shall not be required if the person to be adopted is of full age, nor shall the consent of any such person other than the child be required if:—

- (a) Such person is adjudged by the Judge upon evidence submitted to him to be insane or mentally incompetent or unfit to give such consent; or
- (b) Such person is undergoing sentence for a term of which more than three years remain unexpired at the date of the application; or
- (c) Such person is a person whose duty it is to provide proper care and maintenance for such child and has neglected so to do; or

- (d) The Judge for reasons which appear to him sufficient and which are approved by the Provincial Officer, deems it necessary or desirable that such consent should be dispensed with.

6.—(1) If the written consent required by the provisions of the two last preceding sections is not submitted with the application, the Judge may order notice of the application to be served on the parties whose consent is required.

Notice to persons whose consent is required.

(2) The Judge may order the service required by subsection 1 to be made substitutionally or by publication of the notice once in each of three successive weeks in such newspaper as the Judge may order, the last publication thereof to be at least seven clear days before the time appointed for the hearing.

Service of notice.

(3) The Judge may require additional notice and consent.

Additional notice and consent.

7. If, after such notice, a person whose consent is required does not appear and object to the adoption, or appears and objects upon grounds which the Judge deems insufficient having in view the interests of the child and of its parents, the Judge may dispense with his consent.

Dispensing with consent after notice.

8. The Judge, if satisfied of the ability of the applicant or applicants to fulfil the obligations and perform the duties of a parent towards the child to be adopted, and of the fitness and propriety of the adoption having regard to the welfare of the child, and the interests of the natural parents if living, may make an order for the adoption of the child by the applicant or applicants.

Order of adoption.

9.—(1) An order for the adoption of a child under fourteen years of age shall not be made unless the Provincial Officer certifies in writing:—

Certificate of provincial officer as to prior residence.

- (a) That the child has lived for at least two years previously with the applicant, and that during that period the conduct of the applicant and the conditions under which the child has lived have been such as to justify the making of the order; or

- (b) That the applicant is to the knowledge of the Provincial Officer a fit and proper person to have the care and custody of the child, and that for reasons set out in the certificate the period of residence may be dispensed with.

Effect of
order.

10. An order for adoption shall:—

- (a) Divest the natural parent, guardian or person in whose custody the child has been, of all legal rights in respect of such child, and free such person from all legal obligations and duties as to the maintenance of such child;
- (b) Make such child, for the purposes of the custody of the person and rights of obedience, to all intents and purposes the child of the adopting parent or parents;
- (c) Give the child the same right to any claim for nurture, maintenance and education upon his adopting parent or parents that he would have were they his natural parent or parents.

Right of
adopted
child to
inherit.

11.—(1) A person who has been adopted in accordance with the provisions of this Act shall take the same share of property which the adopting parent could dispose of by will as he would have taken if born to such parent in lawful wedlock and he shall stand in regard to the legal descendants, but to no other kindred of such adopting parent, in the same position as if he had been born to him.

Inherit-
ance from
adopted
child.

(2) If the person adopted dies intestate his property acquired by himself or by gift or inheritance from his adopting parent or from the kindred of such parent, shall be distributed according to the laws of this Province relating to intestacy among the persons who would have been his kindred if he had been born to his adopting parents in lawful wedlock, and the property received by gift or inheritance from his natural parents or kindred shall be distributed in the same manner as if no act of adoption had taken place.

Rights of
adopted
non-resident
as to
succession
in Ontario.

12. Except in so far as they are in conflict with the provisions of this Act, the rights of a person resident out of the Province who has been adopted in accordance with the laws of any of the Provinces of the Dominion of Canada, shall upon proof of such adoption be entitled in this Province to the same rights of succession as to property as he would have had in the Province in which he was adopted.

Effect of
order on
previous
adoption.

13. If the child has been previously adopted, all the legal consequences of the former order of adoption shall, upon a subsequent adoption, determine, except so far as any interest in property may have vested in the adopted child, and an order to that effect shall be made by the Judge and

shall be forwarded to the Registrar-General and be recorded in the manner prescribed by the regulations.

14. A copy of every order of adoption made under this Act, certified by the Judge, shall be forwarded to the Registrar-General of Ontario and shall be recorded by him in the manner prescribed by the regulations.

Trans-
mitting
copy of
order for
record.

15. Every application under this Act shall be heard by the Judge in his Chambers.

Application
to be
heard in
chambers.

16. The Lieutenant-Governor in Council may make Regulations:—

Regula-
tions.

- (a) For the recording of all orders of adoption made under this Act in the office of the Registrar-General;
- (b) Respecting the procedure to be followed upon an application for an order of adoption;
- (c) For fixing the fees, costs, charges and expenses payable on proceedings under this Act and for dispensing with the payment of such fees, costs, charges and expenses where owing to lack of means or any other reason the Judge deems such action advisable;
- (d) For the payment of the expenses of the Provincial Officer in carrying out the provisions of this Act out of such sums as may be appropriated by the Legislature for that purpose;
- (e) For designating a Provincial Officer and for the appointment of such local and other assistants to the Provincial Officer, and for authorizing any such assistants to act for and in the place of the Provincial Officer;
- (f) Generally for the better carrying out of the provisions of this Act.

17. This Act shall come into force on the 1st day of July, 1921.

of Commence-
ment of
Act.

No. 120.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Adoption of
Children.

1st Reading, 21st February, 1921.
2nd Reading, 21st March, 1921.
3rd Reading, 1921.

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 399 of *The Municipal Act* is amended by adding thereto the following as paragraph 73:—

Rev. Stat.,
c. 192, s. 399,
amended.

73. For requiring every person, firm, company or corporation not resident in or not having a head office in the Province of Ontario, before entering upon the performance of any contract or agreement for the erection or alteration of any building or the execution of any work or improvement in the municipality, to pay to the treasurer thereof a sum not exceeding one per cent. (as the Council may determine) of the amount of the contract or agreement or the value of such work or improvement as certified by the architect of the municipality.

Authority
to collect
one per cent.
of contract
price in cer-
tain cases.

2. Section 406 of *The Municipal Act* is amended by inserting after paragraph 7 the following as paragraph 7a:—

Rev. Stat.,
c. 192, s. 406,
amended.

Lodging-Houses and Lodging-House Keepers.

7a. For licensing, regulating and governing lodging-houses and the keepers of lodging-houses, and for fixing the fee to be charged for the license and for revoking any such license.

Regulation
of lodging
houses and
their
keepers.

(a) For the purpose of this subsection a "lodging-house" shall mean any house or building or portion thereof in which persons are harboured or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in for any time less than a week.

Rev. Stat.,
c. 192, s. 416,
par. 4,
repealed.

3. Paragraph 4 of section 416 of *The Municipal Act* is repealed.

Rev. Stat.,
c. 192,
amended.

4. *The Municipal Act* is amended by inserting after section 416a the following as section 416b:—

416b. By-laws may be passed by the councils of counties, cities and towns:

Licensing,
etc., dry
cleaners,
pressers,
etc.

1. For licensing, regulating and governing the business of dry cleaners, dry dyers, cleaners and pressers and persons engaged in those and similar businesses in which gasoline, carbon bisulphide, naphtha, benzine, benzol or other light petroleum or coal tar products or volatile or inflammable liquids are used.

License
fee.

2. For imposing and collecting a license fee from persons engaging in any such business.

Issue of
licenses.

3. For delegating to the architect or some other person the duty of issuing such licenses and signing the same on behalf of the municipality.

Authority of
architect,
etc., to vary
requirements in
certain
cases.

4. For authorizing the architect or some other person named to allow such variation from the standard requirements in the case of existing businesses as he may approve of where such variation will not, in his opinion, reasonably prejudice the safety of the public.

No. 121.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	22nd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. LEWIS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 269 of *The Municipal Act* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 192, s. 269,
repealed.

269. An elector shall be entitled to vote once only on any by-law or question submitted and where he is qualified to vote in more than one ward or polling subdivision he shall vote only in that in which he resides if qualified to vote there, or if not qualified to vote there or if he is not a resident of the municipality, he may elect at which of such wards or polling subdivisions he will vote and shall vote there only.

Where
ratepayers
qualified in
more than
one ward.

No. 122.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	22nd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

MR. HOWTH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Co-operative Credit Societies.

WHEREAS it is desirable to promote economy and thrift by means of co-operative savings and credit societies.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short Title.

1. This Act may be cited as *The Co-operative Credit Societies Act.* Short title.

Interpretation.

2. In this Act, unless the context otherwise requires,— Interpretation clause.

- (a) "Minister" shall mean the Provincial Secretary; "Minister."
- (b) "Department" shall mean the Department of the Provincial Secretary; "Department."
- (c) "Society" shall mean a society incorporated under the provisions of this Act; "Society."
- (d) "Land" shall include hereditaments and chattels real, and any interest therein; "Land."
- (e) "Property" shall include all real and personal estate, including books and papers; "Property."
- (f) "Amendment of rule" shall include a new rule, and a resolution rescinding a rule; "Amendment of rule."
- (g) "Rules" shall mean the rules approved of by the Minister, and shall include any amendment of a rule approved of by the Minister; "Rules."

"The Committee."

(h) "The Committee" shall mean the committee of management or other directing body of a society;

"Persons claiming through a member."

(i) "Persons claiming through a member" shall include the heirs, executors, administrators, or assigns of a member;

"Officer."

(j) "Officer" shall include any treasurer, secretary, member of the committee, manager, or servant, other than a servant appointed by the committee, of a society;

"Meeting."

(k) "Meeting" shall include (where the rules of a society so allow) a meeting of delegates appointed by members;

"Office."

(l) "Office" shall mean the registered office for the time being of a society.

Applications.

Applications to be subject to approval of Minister.

3. All applications under this Act shall be subject to the approval of the Minister after consideration of the compliance of such application with the provisions of this Act and of all circumstances connected therewith, and the Minister or any officer of the department to whom an application is referred may, for the purpose of any enquiry into such circumstances and the sufficiency and regularity of the application, take evidence in writing under oath or affirmation.

Application to be by way of petition.

4. All applications to the Minister under this Act for incorporation, or for his approval of any Act which requires his approval, shall be by petition, verified by affidavit or declaration.

Incorporation.

Object of incorporation.

5. Under this Act, societies may be incorporated having for their object or purpose the receiving of moneys on deposit from members and the making of loans to members with or without security, as defined by the petition signed on application for incorporation.

Number of persons necessary to incorporate.

6.—(1) Any number of persons not less than ten, capable of contracting, may be incorporated as a society.

Petition to be in duplicate.

(2) Such persons shall sign in duplicate, before two witnesses, a petition in the form of Schedule "A" to this Act, and one of such petitions, with a copy of the rules, shall be forwarded by registered letter or otherwise delivered

to the Minister, and the other, with a copy of the rules, shall remain of record in the archives of the society.

7. The rules of every society shall contain provisions regarding the several matters mentioned in Schedule "B" to this Act, together with such other provisions as are deemed necessary for the management of the affairs of the society, provided that the rules shall not be contrary to law, and may set forth the form of any instrument necessary for carrying the purposes of the society into effect.

Rules of society.

8. The Minister, on approving of the rules, may issue to the society a certificate of incorporation and give notice thereof in *The Ontario Gazette*, and thereupon such society shall be a corporation under the name described in the certificate and notice, and all property, for the time being, vested in any person in trust for the society shall be vested in the society, and the said certificate of incorporation and the rules of the society, together with this Act, shall constitute the charter of the society.

Certificate of incorporation.

9. The production of *The Ontario Gazette* containing the said notice shall be conclusive evidence that the society therein mentioned is duly incorporated.

Evidence of incorporation, what to be deemed.

10. A person under the age of twenty-one, subject to the limitations of the rules, may be a member of a society, and such persons may enjoy all the rights of a member (except as herein provided), and execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee, trustee, manager or treasurer of the society.

Persons under twenty-one may be members of society.

Registered Office.

11. Every society shall have a registered office, to which all communications and notices shall be addressed, and the society shall send to the Minister written notice of the situation of such registered office and of every change of such situation.

Registered office of society.

Land.

12.—(1) A society may, for the purposes of its undertaking (if its rules do not otherwise direct), hold, purchase or take on lease in its own name any land, and may sell, exchange, lease or build thereon.

Power to hold land.

(2) The annual value of the land so acquired or held shall not exceed five thousand dollars.

Limit of value of land.

Name.

Name.

13. The corporate name of the society shall not be that of any other known society or company incorporated or unincorporated, or so nearly resembling such name as to be likely, in the opinion of the Minister, to be confounded therewith, or otherwise on public grounds objectionable, and no society shall change its name except as hereinafter provided: Provided, however, that the Minister may, at any time, change the name of a society if it appears to him that such name is that of any other society or company incorporated or unincorporated or nearly resembles the same, or is on any grounds objectionable, and such change shall be made in the like manner and with the like consequences as if it were changed on the application of the society.

"Co-operative" and "limited" to be included in name.

14. The word "co-operative" shall be included in, and the word "limited" shall be the last word of the name of every society.

Change of name.

15. A society may, by resolution approved of by two-thirds of its members and adopted at a general meeting called for that purpose, and with the approval of the Minister, change its name, and from the date of a notice of such change, to be published by the Minister in *The Ontario Gazette*, the society shall be known and designated under the new name, but no such change of name shall affect any right or obligation of the society, or of any member thereof, and any pending legal proceedings may be continued by or against the society notwithstanding its new name.

Rules.

Copy of rules to be given to every member on demand.

16. A copy of the rules of the society shall be delivered by the society to every member on demand, on payment of a sum fixed by the rules.

Amendments to rules, when valid.

17.—(1) An amendment of a rule of a society shall not be valid until it has been approved of by the Minister, for which purpose two copies thereof, signed by three members and the secretary, or by the president and the secretary, shall be sent to the Minister.

Approval of amendment by Minister, effect of.

(2) The Minister, on being satisfied that an amendment of a rule has been duly sanctioned by the society, may approve of it, and may issue to the society an acknowledgment of the deposit of such amendment, which shall be conclusive evidence that it is in force.

Rules binding, to what extent.

18. The rules of the society shall bind the society and all members thereof and all persons claiming through them, respectively, to the same extent as if such member had

subscribed his name and affixed his seal thereto, and as if there were contained in such rules a covenant on the part of such member, his heirs, executors, administrators and assigns, to conform thereto subject to the provisions of the Act.

19. Every officer of a society who receives or has charge of money, shall, before taking upon himself the duties of his office, become bound, either with or without a surety, as the committee may require, in a bond of such form as the committee approves, or shall give the security of a guarantee society, in such sum as the committee directs, conditioned for his rendering a just and true account of all moneys received and paid by him on account of the society, at such times as its rules appoint, or as the society or the committee thereof requires him to do, and for the payment by him of all sums due from him to the society. Where officers to give bond.

20. The rules of every society shall provide for the profits being appropriated to any purposes stated therein. Profits.

21. A society may make rules respecting the maximum number of shares which may be held by a member of the society and the maximum amount which may be deposited by or loaned to a member, and the maximum amount which the society may receive on deposit. Rules as to maximum number of shares, etc.

Capital, Shares and Business.

22. A society may create a capital divided into shares, and the amount thereof, the number of shares and the calls or other payments thereon, shall be determined by its rules, but the amount of each share shall not be less than one dollar. Shares.

23. The capital of the society may, subject to the rules, be increased by subscriptions for new shares or the admission of new members, and it may be diminished by withdrawals. Capital, how increased.

24. Any other corporation may, if its constituting instruments permit, hold shares in a society, but the society shall not lend any part of its funds to such other corporation until the Minister has given his consent to such loan. Other society may hold shares.

25. No member shall have more than one vote, and voting by proxy shall be allowed only when shares are held by an agricultural association, a municipal body, a school board, or other corporation existing under the law of Canada or of some province thereof. Votes.

Residence
restrictions
when
applying
for shares.

26. A member, at the time of making application for shares, must be domiciled within twenty miles of the registered office or within a lesser distance if so determined by the rules of the society.

List of
members
and shares
to be kept
by society.

27. Every society shall keep a register or list of members or shares which shall be *prima facie* evidence of any of the following particulars entered therein:—

- (a) The names, addresses and occupation of the members, the number of shares held by them respectively, the numbers of such shares, if they are distinguished by numbers, and the amount paid or agreed to be considered as paid on any such shares;
- (b) The date at which the name of any such person or corporation was entered in such register or list as a member;
- (c) The date at which any such person or corporation ceased to be a member.

Moneys
payable by
member to
society
shall be a
debt due.

28.—(1) All moneys payable by a member to a society shall be a debt due from such member to the society and shall be recoverable as such in any court of competent jurisdiction.

Society to
have lien
on shares.

(2) A society shall have a lien on the shares of any member for any debt due to it by him, and may set off any sum credited to the member therein in or towards the payment of such debt.

Guarantee
fund.

29. Every society shall lay aside at least ten per cent. of its yearly net profits in order to establish a guarantee fund to meet losses, and until the said guarantee fund is equal to the maximum amount at any time of the paid-up share capital and deposits, and if the maximum amount of paid-up capital and deposits is reduced by withdrawals the said fund shall be maintained at the said maximum amount notwithstanding such subsequent reduction, and the said yearly addition to net profits shall continue to be laid aside until the said guarantee fund has reached the aforesaid maximum amount of paid-up share capital and deposits, or in case the said fund is impaired by losses, after it has reached the said maximum, the said yearly addition shall be again laid aside until the said fund is completed.

Advances
to be made
to members
only.

30. No society shall advance money by discount, loan or otherwise to, nor accept deposits from, any person other than members thereof.

Board of Administration.

31.—(1) Every society shall, at its first general meeting, and annually thereafter, elect from its members a board of administration herein called the committee of at least five members and the president of the society shall be an *ex-officio* member of such board. Board of administration.

(2) The duties of the board shall be such as are required by this Act and by the rules of the society. Duties of board.

Board of Credit.

32.—(1) Every society shall, at its first general meeting, and annually thereafter, elect from its members a board of credit of at least three members, who shall not be members of the committee or board of supervision or officers of the society, and the president of the society shall be an *ex-officio* member of such board. Board of credit.

(2) The members of the board shall hold office for one year and until their successors are appointed. Tenure of office.

(3) No member of the board shall borrow from or be in any way liable to the society. Members of board not to borrow from society.

(4) It shall be the duty of the board to consider and approve of all loans and investments of funds of the society. Duties of board.

Board of Supervision.

33.—(1) Every society shall, at each annual general meeting, elect from its members a board of supervision of at least two members, who shall not be members of the committee or board of credit or officers of the society. Board of supervision, how composed.

(2) The members of the board shall hold office for one year and until their successors are appointed. Tenure of office.

(3) The board shall, from time to time, examine and audit the books of the society and deposit books of the members; shall supervise the operations of the committee and board of credit; and shall check the cash investments and securities of the society. Duties.

(4) In the event of any of the funds, securities or other property of the society being misappropriated or otherwise misdirected from their proper use, or in the event of any of the rules of the society being contravened by the committee or board of credit, or any member thereof, or by any officer, the board shall forthwith call a general meeting of the society. Misappropriation of funds.

Appointment
pending
general
meeting.

(5) Pending the holding of such meeting the board may suspend any member of the committee or board of credit, or any officer, and may appoint members of the society to perform the duties of any person so suspended, until the said meeting of the society.

General
meeting.

(6) The board shall report to the meeting all circumstances relating to any misappropriation of funds, securities or other property or any improper diversion thereof, and the causes of suspension of any member of the committee, board of credit or officer, and the society, at the meeting so called or at any adjournment thereof, may dismiss from office or reinstate any member of the committee or board of credit or officer suspended by the board.

Member of
board not
to borrow.

(7) No member of the board shall borrow from or be in any way liable to the society.

Annual
report.

(8) The board shall submit a written report to each annual general meeting.

Payments
to officers.

34. All payments to officers of the society for services rendered must be approved by a majority vote of the shareholders at the annual general meeting.

Investment.

Invest-
ments.

35.—(1) A society may invest any part of its funds in or upon any security authorized by its rules.

When
society
to be
represented
by proxy.

(2) A society which has invested any part of its funds in the shares or on the security of any other corporation may appoint as proxy any one of its members, though such member is not personally a shareholder of such other corporation.

Extent of
power of
proxy.

(3) The proxy shall, during the continuance of his appointment, be taken by virtue thereof as holding the number of shares held by the society by whom he is appointed, for all purposes except the transfer of such shares, or the giving receipts for any dividend thereon.

Borrowing Powers.

Resolutions
of committee
for
borrowing
money.

36. The committee of a society may pass resolutions for borrowing money: Provided, however, that nothing in this or the following sections hereof shall apply to promissory notes, bills of exchange, or other securities of a commercial nature issued in the ordinary course of business.

Must be by
two-thirds
vote.

37. No resolution referred to in section 36 of this Act shall take effect until it has been confirmed by a vote of not less than two-thirds of the members present or represented

by proxy at a general meeting of the society, duly called for considering such resolution, by notice specifying the terms of the resolution to be confirmed, or until unanimously sanctioned in writing by the members of the society.

38. The committee may charge, hypothecate, mortgage, or pledge the real or personal property, rights and powers, undertaking, franchises, including book debts and unpaid calls of the society, to secure any liability of the society authorized by resolution and confirmed as hereinbefore provided. Powers of committee as to charging, hypothecating, mortgaging, etc.

39. No assignee, mortgagee, pledgee, charge or hypothec holder shall be bound to inquire as to the authority for any such assignment, mortgage, pledge, charge or hypothecation by a society, and the receipt of the society shall be a discharge for all moneys arising from or in connection with such assignment, mortgage, pledge, charge, hypothec or other security. Effect of receipt of society.

Contracts.

40.—(1) Contracts on behalf of a society may be made, varied, or discharged as follows:— Contracts, how made.

(a) Any contract which, if made between private persons, would be by law required to be in writing and to be under seal, may be made on behalf of the society, in writing under the common seal of the society, and may in the same manner be varied or discharged; When to be in writing.

(b) Any contract which, if made between private persons would be by law required to be in writing and signed by the persons to be charged therewith, may be made on behalf of the society in writing by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged; May be signed by agent.

(c) Any contract under seal which, if made between private persons, might be varied or discharged by a writing not under seal, signed by any person interested therein, may be similarly varied or discharged on behalf of the society by a writing not under seal, signed by any person acting under the express or implied authority of the society; Contract under seal.

Oral
contracts.

- (d) Any contract which, if made between private persons, would be by law valid though made by parol only and not reduced into writing, may be made by parol on behalf of the society by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged;

Signature
of officer.

- (e) A signature, purporting to be made by a person holding any office in the society, attached to a writing whereby any contract purports to be made, varied or discharged by or on behalf of the society, shall *prima facie* be taken to be the signature of a person holding, at the time when the signature was made, the office so stated.

Form of
contract,
how far
binding.

- (2) All contracts which may be or have been made, varied or discharged according to the provisions of this section, shall, so far as concerns the form thereof, be effectual in law and binding on the society and all other parties thereto, their heirs, executors or administrators, as the case may be.

Promissory
notes and
bills of
exchange

41. A promissory note or bill of exchange shall be deemed to have been made, accepted, or endorsed on behalf of the society if made, accepted, or endorsed in the name of the society, or by or on behalf or on account of the society, by any person acting under the authority of the society.

Accounts and Inspections.

Annual
meeting.

- 42.—(1) The annual meeting of the society shall be held at such time and place in each year as the rules of the society provide, and in default of such provisions in that behalf the annual meeting shall be held at the registered office of the society on the fourth Wednesday in January in each year.

Business
to be dealt
with.

- (2) At such meeting the committee shall lay before the society:—

- (a) A balance sheet made up to date not more than three months before such annual meeting;
- (b) A statement of income and expenditure for the financial period ending upon the date of such balance sheet;
- (c) The report of the board of supervision;
- (d) Such further information respecting the society's financial position as the rules require.

(3) Every balance sheet shall be drawn up so as to distinguish at least the following classes of assets and liabilities, namely:—

- (a) Cash;
- (b) Debts owing to the society from members;
- (c) Land and buildings;
- (d) Debts owing by the society secured by mortgage or other lien upon the property of the society;
- (e) Debts owing by the society but not secured;
- (f) Amount received on shares;
- (g) Amount owing on shares;
- (h) Amount paid on withdrawal of shares;
- (i) Indirect and contingent liabilities.

43. Every society shall supply gratuitously to every member or other person interested in the funds of the society, on his application, or as provided by the rules of the society, a copy of the last annual balance sheet and return of the society. Copy of annual balance sheet to be supplied to members.

44.—(1) Save as provided in this Act, no member or person shall have any right to inspect the books of the society. Inspection of books.

(2) Any member or other person having an interest in the funds of the society may inspect his own account and the books containing the names of the members at all reasonable hours at the registered office of the society, or at such other place where they are kept, subject to such regulations as to time and manner of such inspection as are made by the rules. Rules as to inspection.

(3) The society may, by its rules, authorize the inspection of any of its books therein mentioned, in addition to the said books containing the names of members, under such conditions as are thereby imposed, so that no person, unless he is an officer of the society or is specially authorized by a resolution thereof, shall have the right to inspect the loan or deposit account of any other member without his written consent. As to loan or deposit accounts of members.

45. Every dispute not of a pecuniary character, and every dispute of a pecuniary character in which the amount involved or in dispute does not exceed one hundred dollars, Disputes.

between a member of a society or any person aggrieved who has for not more than six months ceased to be a member of the society, or any person claiming through such member or person aggrieved, or claiming under the rules of the society, and the society or an officer thereof, shall be decided in the manner directed by the rules of the society, if they contain any such directions, and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any court of law or restrainable by injunction; and application for the enforcement thereof may be made before any court of competent jurisdiction.

When
application
may be
made to
Minister,

46.—(1) Upon the application of one-tenth of the whole number of members of a society, or of one hundred members in the case of a society exceeding one thousand members, the Minister may:—

for appoint-
ment of
inspector.

(a) Appoint an inspector or inspectors to examine into and report upon the affairs of such society;

For calling
of special
meeting.

(b) Call a special meeting of the society.

Notice.

(2) Such application shall be supported by such evidence as the Minister requires before taking action, and the Minister may require that such notice as he deems necessary be given to the society.

Security
for costs.

(3) The Minister may require the applicants to furnish security for the costs of such inspection or meeting.

Expenses,
how
defrayed.

(4) All expenses of and incidental to any such inspection or meeting shall be defrayed by the members applying for the same, or out of the funds of the society, or by the members or officers or former members or officers of the society, in such proportion as the Minister shall direct.

Powers of
inspector.

(5) An inspector appointed under this section may require the production of all or any of the books, accounts, securities, and documents of the society, and may examine on oath its officers, members, agents and servants in relation to its business, and may administer an oath accordingly.

Special
meeting.

(6) The Minister may direct at what time and place a special meeting under this section is to be held, and what matters are to be discussed and determined at the meeting, and the meeting shall have all the powers of a meeting called according to the rules of the society, and shall in all cases have power to appoint its own chairman, any rules of the society to the contrary notwithstanding.

Returns.

47.—(1) The society shall, within one month after the annual general meeting, make out a summary, verified as hereinafter required, containing, correctly stated, the following particulars:—

Summary to be made within one month after general meeting.

- (a) The corporate name of the society and the date of incorporation;
- (b) The name, residence and post office address of the officers and of the members of the Boards of Credit and Supervision;
- (c) The date upon which the last annual meeting of the society was held;
- (d) The place of the registered office, giving street and number when possible;
- (e) The amount of subscribed capital of the society and the number of shares into which it is divided;
- (f) The number of shares, if any, issued as fully paid up, as consideration for any transfer of assets; or otherwise; if none are so issued, this fact to be stated;
- (g) The amount of calls made on each share;
- (h) The total amount of calls received;
- (i) The number of shares subscribed for and allotted during the preceding year;
- (j) The number of shares withdrawn during the preceding year;
- (k) The amount on deposit;
- (l) The amount on loan;
- (m) The total amount loaned during the year;
- (n) The amount of the guarantee fund;
- (o) A statement of the receipts and expenditure of the society during the year in respect of the several objects of the society;
- (p) The number of members of the society.

Summary
to be
transmitted
to Minister.

(2) The summary, verified by the certificate of the president and secretary, together with the last balance-sheet signed by the members of the board of supervision, shall, on or before the first day of March next after the time hereinbefore fixed for making the summary, be transmitted to the Minister.

Cancellation and Suspension of Charter.

Cancellation
of charter,
under what
circum-
stances.

48.—(1) The Minister may, at any time, upon notice in writing, cancel the charter of a society:—

(a) If it is shown that the number of the members of the society has been reduced to less than ten, or that the charter of a society has been obtained by fraud, or mistake, or that the society has ceased to carry on business;

(b) If he thinks fit, at the request of a society, to be evidenced in such manner as he shall from time to time direct;

(c) On proof to his satisfaction that the society exists for an illegal purpose, or has wilfully, and after notice from the Minister, violated any of the provisions of this Act.

Suspension
of charter.

(2) The Minister, in any case in which he might cancel the charter of the society, may suspend the charter, by writing under his hand or seal, for any term not exceeding three months, and may renew such suspension from time to time for a like period.

Notice to be
given by
Minister at
least two
months
before
cancellation
or
suspension.

(3) Before such cancellation or suspension the Minister shall give the society a notice of not less than two months, specifying the ground of any proposed cancellation or suspension (except in the case of a request by the society itself), and notice of such cancellation or suspension shall be published in the *Ontario Gazette* and in a newspaper published at or near the place where such society last had its head office.

Effect of
publication
of notice.

(4) Such society shall, from the date of publication in the *Ontario Gazette* of the said notice of cancellation or suspension, absolutely cease to enjoy the privileges of a society, but without prejudice to any liability actually incurred by such society, which liability may be enforced as if such cancellation or suspension had not taken place.

Dissolution,
how
effected.

49. A society organized under this Act may be dissolved.—

- (a) By the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution and with the approval of the Minister;
- (b) Under the provisions of *The Winding-up Act*, Chapter 144 of the Revised Statutes of Canada, 1906.

50. Where a society is wound up under the provisions of *The Winding-up Act* the liability of present or past members of the society to contribute for payment of the debts and liabilities of the society, the expenses of winding-up, and the adjustment of the rights of contributors amongst themselves, shall be qualified as follows:—

Extent of liability of members where society is wound up.

- (a) No individual or corporation who or which has ceased to be a member for one year or upwards prior to the commencement of the winding-up shall be liable to contribute;
- (b) No individual or corporation shall be liable to contribute in respect of any debt or liability contracted after he or it ceases to be a member;
- (c) No individual or corporation who or which has, within a year, ceased to be a member, shall be liable to contribute, unless it appears that the contribution of the existing members are insufficient to satisfy the just demands on the society;
- (d) No contribution shall be required from any individual or corporation exceeding the amount, if any, unpaid of the shares in respect of which he or it is liable as a past or present member;
- (e) An individual or corporation shall be taken to have ceased to be a member, in respect of any withdrawable share withdrawn, from the date of receipt by the society of the notice or application for withdrawal; and upon being given such notice or application for withdrawal the society shall give a receipt therefor or acknowledgment thereof, in which shall be stated the date when such notice or application was so received.

51. Officers, members of administrative boards and other members entrusted with or participating in the direct management of the society's affairs shall not withdraw or transfer their shares during the exercise of their functions.

Shares not to be drawn out by officers or members of administrative boards.

and in case of the society's insolvency any such withdrawal or transfer made by them, within four months preceeding such insolvency, shall be null and void, and such member shall remain liable to the creditors of the society to the extent of such shares so withdrawn or transferred.

Instrument
of
dissolution.

52. Where a society is terminated by an instrument of dissolution:—

- (a) The instrument of dissolution shall set forth the liabilities and assets of the society in detail, the number of members and the nature of their interests in the society respectively, the claims of the creditors, if any, and the provisions to be made for their payment, and the intended appropriation or division of the funds and property of the society, unless the same be stated in the instrument of dissolution to be left to the award of the Minister;
- (b) Alterations in the instrument of dissolution may be made with the like consents, as hereinbefore provided, and testified in the same manner;
- (c) A statutory declaration shall be made by three members and the secretary of the society that the provisions of this Act have been complied with, and shall be sent to the Minister with the instrument of dissolution and any alterations thereof;
- (d) The instrument of dissolution and all alterations therein shall be binding upon all the members of the society;
- (e) The Minister shall cause a notice of dissolution to be advertised at the expense of the society in the *Ontario Gazette* and in some newspaper at or near the place of registered office of the society, and unless, within three months from the date of the *Ontario Gazette* in which such advertisement appears, a member or other person interested in or having any claim on the funds of the society commences proceedings to set aside the dissolution of the society in the county court of the county where the registered office of the society is situated, and such dissolution is set aside accordingly, the society shall be dissolved from the date of such advertisement, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto;

(f) Notice shall be sent to the Minister of any proceeding to set aside the dissolution of a society, not less than seven days before it is commenced, by the person by whom it is taken or of any order setting it aside, within seven days after it is made by the society;

(g) The instrument of dissolution shall fix a time within which such dissolution shall be completed, and on the expiration thereof the person or persons named therein to conduct the completion of such dissolution shall forward to the Minister all books, papers, letters, memoranda, and other documents in any way relating to such dissolution, together with all sums of money in his or their hands undistributed, and the said person or persons having conduct of the dissolution as aforesaid shall be deemed to be an officer or officers of the society for the purposes of this Act.

Offences and Penalties.

53. It shall be an offence under this Act if a society,— Offences, what shall be considered.

(a) Fails to give any notice, send any return or document, or to do or allow to be done any act or thing which the society is, by this Act, required to give, send, do or allow to be done; or,

(b) Wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the Minister or any other person authorized under this Act, or does any act or thing forbidden by this Act; or,

(c) Makes a return or wilfully furnishes information in any respect false or insufficient; or,

(d) Fails to make out and keep continuously hung up the annual return and balance-sheet required by this Act.

54. Every offence by a society under this Act shall be deemed to have been also committed by every officer of the society who is bound by the rules thereof to fulfil the duty whereof such offence is a breach, or, if there be no such officer, then by every member of the committee unless such member is found to have been ignorant of, or to have attempted to prevent the commission of such offence; and

Liability of officers for offences committed by society.

every act or default under this Act constituting an offence, if continued, shall constitute a new offence in every week during which it continues.

Where
property
of society
obtained
by false
representa-
tion.

55. If any person obtains possession by false representation or imposition of any property of a society, or, having it in his possession, withholds or misapplies it or wilfully applies any part thereof to purposes other than those expressed or directed by the rules of the society, and authorized by this Act, he shall, on the complaint of the society, or any member authorized by the society, or by the committee thereof or by the Minister, be liable, on summary conviction, to a fine not exceeding fifty dollars and costs, and to be ordered to deliver up such property or to repay all moneys applied improperly and, in default of such delivery or repayment, or of the payment of such fine, to be imprisoned, with or without hard labour, for a term not exceeding three months; but nothing herein shall prevent any such person from being proceeded against if not previously convicted under this Act of the same offence or of an offence which includes the offence with respect to which he is so proceeded against.

Falsification
of books.

56. If any person wilfully makes, orders or allows to be made any entry or erasure in, or omission from, any balance-sheet of a society, or any contribution or collection book, or any return or document required to be sent, produced or delivered under this Act, with intent to falsify the same, or to evade any provision of this Act, he shall be liable, on summary conviction, to a fine not exceeding one hundred dollars.

False repre-
sentation as
to rules of
society.

57. It shall be an offence under this Act, punishable on summary conviction by a fine not exceeding two hundred dollars and not less than fifty dollars, if any person, with intent to mislead or defraud, gives to any other person a copy of any rules other than the rules for the time being approved of by the Minister under this Act, on the pretence that they are the existing rules of a society, or that there are no rules of such society, or gives to any person any rules on the pretence that such rules are the rules of an existing society, when such society is not really a society incorporated under this Act.

Regulations.

Regulations.

58. The Lieutenant-Governor in Council may make regulations respecting the procedure and forms to be adopted in carrying out the provisions of this Act, and generally for carrying this Act into effect, and by such regulations

may impose fines not exceeding twenty-five dollars for an infraction of the provisions thereof, and such fines shall be recoverable on summary conviction; and such regulations shall apply as soon as they have been published in the *Ontario Gazette*.

59. Such regulations shall be laid before the Legislative Assembly within ten days after the making thereof, if the Legislative Assembly is then sitting, or, if not then sitting, then during the first ten days of the next session thereof.

SCHEDULE "A."

PETITION FOR INCORPORATION.

CO-OPERATIVE CREDIT SOCIETIES ACT.

To the.....

The petition of.....

Sheweth.

1. That the undersigned desire to be incorporated as a society under the provisions of The Co-operative Credit Societies Act, under the name "....., Limited."

2. That the objects of incorporation are as follows:—

(Set out objects, in detail).

3. That the undersigned have prepared rules in accordance with the said Act for the management of the said society, a copy of which is herewith attached.

Your petitioners therefore pray that they may be incorporated as a society under the said Act.

Dated at.....this.....day of19

Witness.

SCHEDULE "B."

MATTERS TO BE CONTAINED IN RULES.

Matters to be provided for by the rules of societies incorporated under The Co-operative Credit Societies Act:—

1. Object, name and head office or chief place of business of the society.

2. Terms of admission of the members, including societies or companies taking shares in the society under the provisions of this Act.

3. Mode of holding meetings, right of voting and of making, altering and rescinding rules.

4. Appointment and removal of the committee or officers, and their respective powers.

5. Determination whether the shares or any of them shall be transferable, and regulations of the form of transfer and registration of the shares and the consent of the committee thereto; determination whether the shares of any of them shall be withdrawable and the payment of the balance due thereon withdrawing from the society.

6. Determination whether or how members may withdraw from the society.

7. Mode of application of profits.

8. Provision for custody of seal and certifying of documents issued by the society.

9. Determination whether and by what authority and in what manner any part of the capital may be invested.

10. The maximum number of shares that may be held by a member.

11. The maximum amount which may be received by the society on deposit.

12. The maximum amount which may be received from, or loaned to, a member.

No. 123.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Co-operative Credit
Societies.

1st Reading, 22nd February, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. HILL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Fire Departments Hours of Labour Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of *The Fire Departments Hours of Labour Act* is amended by adding to said section the words “except in cities, towns and villages having a population of less than one hundred thousand.” 1920, c. 88, s. 2, amended. Exceptions.

2. Section 3 of *The Fire Departments Hours of Labour Act* is amended by adding the following as paragraph 3a:— 1920, c. 88, s. 3, amended.

3a. The provisions of this Act shall not apply to cities, towns and villages with a population of less than one hundred thousand whenever what is known as the “Double Platoon System” is in operation in such city, town or village. In what cases Act not to apply.

3. This Act shall come into force on the day that it receives the Royal Assent. Commencement of Act.

No. 124.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Fire Departments
Hours of Labour Act.

1st Reading,	22nd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HAY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 125.

1921.

BILL

An Act to amend The Ontario Temperance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subclause (ii) of clause (i) of section 2 of *The On-^{1916, c. 50,}
tario Temperance Act* is amended by striking out the words ^{s. 2,} amended.
“in a city” in the third and fourth lines thereof.

No. 125.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Temperance
Act.

1st Reading,	23rd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McCREA.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 126.

1921.

BILL

An Act to amend The Ontario Game and Fisheries Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 41 of *The Ontario Game and Fisheries Act* is amended by striking out subsection 5 thereof.

Rev. Stat.,
c. 262, s. 41,
amended.

No. 126.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Game and
Fisheries Act.

1st Reading,	23rd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McCREA.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 127.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 512 of *The Municipal Act* is amended by striking out the figures “\$1” in the fifth line thereof and substituting therefor the figures “\$3.”

Rev. Stat.,
c. 192,
s. 512 (2),
amended.
Rate of
commuta-
tion of
statute
labor.

No. 127.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	23rd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. Biggs.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty

BILL

An Act to amend The Motor Vehicles Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 11 of *The Motor Vehicles Act* Rev. Stat., c. 207, s. 11 (1), amended. is amended by striking out the figures "20" in the third line and substituting therefor the figures "10," and by striking out the figures "10" in the ninth line and substituting therefor the figure "8." Rate of speed.

No. 128.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Motor Vehicles
Act.

1st Reading,	23rd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. TOOMS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Mining Act of Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mining Amendment Act, 1921*.

2. The clauses lettered *l* and *x* in section 2 of *The Mining Act of Ontario* are repealed and the following substituted for the said clauses respectively:—

Rev. Stat.,
c. 32, s. 2 (l)
and s. 2 (x)
repealed.

(l) "Mineral" shall mean all valuable deposits of gold, silver, platinum, palladium or any of the platinum group of metals, mercury, lead, copper, iron, tin, zinc, nickel, cobalt, aluminium, antimony, arsenic, barium, bismuth, boron, bromine, chromium, iodine, magnesium, manganese, molybdenum, phosphorus, plumbago, potassium, sodium, strontium, sulphur, tungsten, fluorine, vanadium, lithium, titanium or any combination of the aforementioned elements with themselves or with any other elements, asbestos, corundum, mica, mineral pigments, salt, coal, natural gas, petroleum, gypsum, talc, feldspar and diamonds.

"Mineral,"
interpretation of.

(x) "Valuable mineral in place" shall mean a vein, lode or deposit of mineral in place in appreciable quantity, having a present or prospective value sufficient to justify exploration.

"Valuable mineral in place,"
interpretation of.

3.—(1) The clause lettered *c* in section 2 of *The Mining Act of Ontario* is amended by striking out the words "Minister of Lands, Forests and Mines" in the fifth line and substituting therefor the words "Minister of Mines."

Rev. Stat.,
c. 32, s. 2 (c)
amended.

(2) The clause lettered *d* in the said section is amended by striking out the words "Department of Lands, Forests and Mines," and substituting therefor the words "Department of Mines."

Rev. Stat.,
c. 32 s. 2 (d)
amended.

Rev. Stat.,
c. 32, s. 2 (o)
repealed. (3) The clause lettered *o* of the said section is repealed
and the following substituted therefore:—

"Minister." (o) "Minister" shall mean Minister of Mines except
where a contrary intention appears.

Rev. Stat.,
c. 32, s. 4,
repealed. 4. Section 4 of *The Mining Act of Ontario* is repealed.

Rev. Stat.,
c. 32, s. 6 (1)
amended. 5.—(1) Subsection 1 of section 6 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" in the fourth line and substituting therefor the word "Department."

Rev. Stat.,
c. 32, s. 19,
amended. (2) Section 19 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" where it occurs in the third and tenth lines and substituting therefor the word "Department."

Rev. Stat.,
c. 32,
s. 23 (6)
amended. (3) Subsection 6 of section 23 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" in the fifth line and substituting therefor the word "Department."

Rev. Stat.,
c. 32,
s. 50 (b)
amended. (4) Clause *b* of section 50 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the ninth line.

Rev. Stat.,
c. 32,
s. 51 (b)
amended. (5) Clause *b* of section 51 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the tenth line.

Rev. Stat.,
c. 32, s. 11,
amended. 6.—Section 11 of *The Mining Act of Ontario* is amended by striking out the words "engaged in educational or other institutions" in the third line thereof.

Rev. Stat.,
c. 32,
s. 13 (1),
amended. 7.—(1) Subsection 1 of section 13 of *The Mining Act of Ontario* is amended by striking out the words "inspecting officer" in the fourth line and inserting after the word "Recorder" in the fourth line the words "or other officer."

Rev. Stat.,
c. 32,
s. 13 (2),
amended. (2) Subsection 2 of the said section is amended by striking out the words "inspecting officer" in the third line, and inserting after the word "Recorder" in the third line the words "or other officer."

Rev. Stat.,
c. 32, s. 15,
amended. 8.—Subsection 2 of section 15 of *The Mining Act of Ontario* is amended by striking out the figures "\$3" in the third line and substituting therefor the figures "\$4."

9.—*The Mining Act of Ontario* is amended by adding thereto the following section: Rev. Stat.
c. 32,
amended.

36a. No mining claim shall be staked out or recorded on land sold or located under *The Public Lands Act* in which the mines, minerals or mining rights have not been reserved.

10.—Section 68a of *The Mining Act of Ontario* as enacted by section 5 of *The Mining Amendment Act, 1920*, is repealed, and the following substituted therefor. Rev. Stat.
c. 32,
(as amended
by 1920,
c. 13, s. 5)
repealed.

68a. Every licensee who stakes out and records a mining claim on his own license shall be given by the Recorder two free assay coupons on recording the same, and two additional free assay coupons on recording each forty days' work thereafter, and on forwarding or delivering, charges prepaid, samples from the mining claim to the Provincial Assayer, Toronto, together with one coupon for each sample, he shall be entitled to have the same assayed for one or other of the following metals—namely, gold, silver, copper, lead, zinc, or metallic iron, or upon forwarding or giving two coupons he may have one assay made for one or other of the following metals—namely, nickel, cobalt, tin or tungsten. Right of
free assay
by assay
office.

68b. Where the recorded holder of a mining claim abandons the same, or where the claim is cancelled or forfeited under this Act, he may within six months of such abandonment, cancellation or forfeiture, take from the same any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, and any such machinery, property or ore remaining on the claim after the expiry of such six months shall belong to His Majesty. Where claim
abandoned,
cancelled or
forfeited.

11.—Subsections 1 to 4 of section 78 of *The Mining Act of Ontario* and section 3 of *The Mining Amendment Act, 1914*, are repealed, and the following substituted therefor: Rev. Stat.
c. 32, s. 78,
cls. 1 to 4,
and 1914,
c. 14,
repealed.

(1) The recorded holder of a mining claim heretofore or hereafter recorded shall perform or cause to be performed thereon work which shall consist of stripping or opening up the mine, sinking shafts or other, actual mining operations, to the Working
conditions
on mining
claims.

extent of forty days' work of not less than eight hours per day, in each and every year for the five years immediately following the date of recording:

Amount.

- (a) Where at least thirty, but not less than forty, days' work has been performed within the three months immediately following the recording of a mining claim recorded before the enactment of this subsection, the remainder of the forty days' work may be deferred to a period not later than the second year for performing work on such claim.

Work done within earlier period and allowance for excess.

- (2) The work may be performed in a less time than herein specified, and if more work is performed by or on behalf of the recorded holder than is herein required during the first or any subsequent years, the excess, upon proof of the same having been performed, shall be credited by the Recorder upon the work required to be done during the subsequent year or years.

Drilling.

- (3) Boring by diamond or other bore drill shall count as work at the rate of two days' work for every foot of boring.

Report of holder upon work.

- (4) The recorded holder of a mining claim shall, not later than ten days after the expiration of each year for performing work, make a report (Form 14) as to the work done or caused to be done by him during such year, verified by affidavit (Form 15), but a report shall not be required for any year in which, in consequence of the work having been previously done and reported, no work has been done.

- (a) The report shall show in detail the names and residences of the men who performed the work and the dates upon which each man worked in its performance.

Rev. Stat.,
c. 32, s. 79,
amended.

12.—Section 79 of *The Mining Act of Ontario* is amended by striking out the clause lettered *e*.

Rev. Stat.,
c. 32,
s. 104 (1),
amended.

13.—Subsection 1 of section 104 of *The Mining Act of Ontario* is amended by inserting after the word "located" in the second line the following words "with reservation of mines, minerals or mining rights to the Crown."

14.—Subsection 2 of section 106 of *The Mining Act of Ontario* as enacted by section 6 of *The Mining Amendment Act, 1915*, is repealed, and the following substituted therefor:

Rev. Stat.,
c. 32,
s. 106 (2),
(as amended
by 1915,
c. 13, s. 6),
repealed.

- (2) The application for a patent or lease shall be made to the Recorder within one year from the date before which all work on a mining claim is required to be performed.

Application
for patent.

15.—Section 111a of *The Mining Act of Ontario* as enacted by Chapter 11 of the Ontario Statutes, 1917, is amended by striking out the word “hereafter” in the first line and inserting after the word “Act” in the second line the following words “on or after the 12th day of April, 1917.”

Rev. Stat.,
c. 32,
s. 111(a),
(as amended
by 1917,
c. 11, s. 1),
amended.

16.—Subsection 1 of section 112 of *The Mining Act of Ontario* is amended by striking out the word “hereafter” at the end of the first line of the proviso added to the said subsection by section 8 of *The Mining Law Amendment Act, 1918*, and inserting after the word “recorded” in the second line of the said proviso the words “on or after the 26th day of March, 1918.”

Rev. Stat.,
c. 32,
s. 112 (1)
(as amended
by 1918,
c. 9, s. 8),
amended.

17.—Section 183a of *The Mining Act of Ontario* as enacted by section 4 of *The Mining Amendment Act, 1916*, is amended by striking out the words “at intervals of not more than two weeks” in the fifth and sixth lines, and substituting therefor the words “not less frequently than twice a month.”

Rev. Stat.,
c. 32
(as amended
by 1916,
c. 12, s. 4),
amended.

18.—This Act shall come into force upon receiving the assent of His Honour, the Lieutenant-Governor.

Commence-
ment of Act.

No. 129.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Mining Act of
Ontario.

1st Reading,	28th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. MILLS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Mining Act of Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mining Amendment Act, 1921*.

2. The clauses lettered *l* and *x* in section 2 of *The Mining Act of Ontario* are repealed and the following substituted for the said clauses respectively:—

Rev. Stat.,
c. 32, s. 2 (1)
and s. 2 (x)
repealed.

(*l*) “Mineral” shall mean all valuable deposits of gold, silver, platinum, palladium or any of the platinum group of metals, mercury, lead, copper, iron, tin, zinc, nickel, cobalt, aluminium, antimony, arsenic, barium, bismuth, boron, bromine, chromium, iodine, magnesium, manganese, molybdenum, phosphorus, plumbago, potassium, sodium, strontium, sulphur, tungsten, fluorine, vanadium, lithium, titanium or any combination of the aforementioned elements with themselves or with any other elements, asbestos, corundum, mica, mineral pigments, salt, coal, natural gas, petroleum, gypsum, talc, feldspar and diamonds.

“Mineral,”
interpretation of.

(*x*) “Valuable mineral in place” shall mean a vein, lode or deposit of mineral in place in appreciable quantity, having a present or prospective value sufficient to justify exploration.

“Valuable mineral in place,”
interpretation of.

NOTE.—It is proposed to add the following section:—

The clause lettered *j* of section 2 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

(*j*) The noun “mine” shall include any opening or excavation in, or working of, the ground for the purpose of winning, opening up or proving any

mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, soil, rock, bed of earth, clay, sand, gravel or cement, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also for the purposes of Parts IX and X, any quarry, excavation or opening in the ground made for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand, gravel or cement, and any roast-yard, smelting-furnace, mill, work or place used for or in connection with crushing, reducing, smelting, refining or treating any of said substances.

Rev. Stat.,
c. 32, s. 2 (c)
amended.

3.—(1) The clause lettered *c* in section 2 of *The Mining Act of Ontario* is amended by striking out the words “Minister of Lands, Forests and Mines” in the fifth line and substituting therefor the words “Minister of Mines.”

Rev. Stat.,
c. 32 s. 2 (d)
amended.

(2) The clause lettered *d* in the said section is amended by striking out the words “Department of Lands, Forests and Mines,” and substituting therefor the words “Department of Mines.”

Rev. Stat.,
c. 32, s. 2 (o)
repealed.

(3) The clause lettered *o* of the said section is repealed and the following substituted therefore:—

“Minister.”

(o) “Minister” shall mean Minister of Mines except where a contrary intention appears.

Rev. Stat.,
c. 32, s. 4,
repealed.

4. Section 4 of *The Mining Act of Ontario* is repealed.

Rev. Stat.,
c. 32, s. 6 (1)
amended.

5.—(1) Subsection 1 of section 6 of *The Mining Act of Ontario* is amended by striking out the word “Bureau” in the fourth line and substituting therefor the word “Department.”

Rev. Stat.,
c. 32, s. 19,
amended.

(2) Section 19 of *The Mining Act of Ontario* is amended by striking out the word “Bureau” where it occurs in the third and tenth lines and substituting therefor the word “Department.”

Rev. Stat.,
c. 32,
s. 23 (6)
amended.

(3) Subsection 6 of section 23 of *The Mining Act of Ontario* is amended by striking out the word “Bureau” in the fifth line and substituting therefor the word “Department.”

(4) Clause *b* of section 50 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the ninth line.

Rev. Stat.,
c. 32,
s. 50 (b)
amended.

(5) Clause *b* of section 51 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the tenth line.

Rev. Stat.,
c. 32,
s. 51 (b)
amended.

6.—Section 11 of *The Mining Act of Ontario* is amended by striking out the words "engaged in educational or other institutions" in the third line thereof.

Rev. Stat.,
c. 32, s. 11,
amended.

7.—(1) Subsection 1 of section 13 of *The Mining Act of Ontario* is amended by striking out the words "inspecting officer" in the fourth line and inserting after the word "Recorder" in the fourth line the words "or other officer."

Rev. Stat.,
c. 32,
s. 13 (1),
amended.

(2) Subsection 2 of the said section is amended by striking out the words "inspecting officer" in the third line, and inserting after the word "Recorder" in the third line the words "or other officer."

Rev. Stat.,
c. 32,
s. 13 (2),
amended.

8.—Subsection 2 of section 15 of *The Mining Act of Ontario* is amended by striking out the figures "\$3" in the third line and substituting therefor the figures "\$4."

Rev. Stat.,
c. 32, s. 15,
amended.

9.—*The Mining Act of Ontario* is amended by adding thereto the following section:

Rev. Stat.,
c. 32,
amended.

36a. No mining claim shall be staked out or recorded on land sold or located under *The Public Lands Act* in which the mines, minerals or mining rights have not been reserved.

NOTE.—It is proposed to add the following section:—

That subsection 3 of section 62 of *The Mining Act of Ontario* be amended by striking out the words, "the expiration of the time for performing the first instalment of work" and inserting instead the words "three months thereafter."

10.—Section 68a of *The Mining Act of Ontario* as enacted by section 5 of *The Mining Amendment Act, 1920*, is repealed, and the following substituted therefor.

Rev. Stat.,
c. 32,
(as amended
by 1920,
c. 13, s. 5)
repealed.

68a. Every licensee who stakes out and records a mining claim on his own license shall be given by

Right of
free assay
by assay
office.

the Recorder two free assay coupons on recording the same, and two additional free assay coupons on recording each forty days' work thereafter, and on forwarding or delivering, charges prepaid, samples from the mining claim to the Provincial Assayer, Toronto, together with one coupon for each sample, he shall be entitled to have the same assayed for one or other of the following metals—namely, gold, silver, copper, lead, zinc, or metallic iron, or upon forwarding or giving two coupons he may have one assay made for one or other of the following metals—namely, nickel, cobalt, tin or tungsten.

Where claim abandoned, cancelled or forfeited.

68b. Where the recorded holder of a mining claim abandons the same, or where the claim is cancelled or forfeited under this Act, he may within six months of such abandonment, cancellation or forfeiture, take from the same any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, and any such machinery, property or ore remaining on the claim after the expiry of such six months shall belong to His Majesty.

NOTE.—It is proposed to amend section 10 of this Bill by striking out clause 68b and substituting therefor the following:—

68b. Where the recorded holder of a mining claim abandons the same, or where the claim is cancelled or forfeited under this Act, he may take from the same any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, within six months after such abandonment, cancellation or forfeiture, or within such further time as may be fixed by the Mining Commissioner. Any such machinery, property or ore remaining on the claim after the expiry of such time shall belong to His Majesty for the use of Ontario.

Rev. Stat.,
c. 32, s. 78,
cls. 1 to 4,
and 1914,
c. 14,
repealed.

11.—Subsections 1 to 4 of section 78 of *The Mining Act of Ontario* and section 3 of *The Mining Amendment Act, 1914*, are repealed, and the following substituted therefor:

Working
conditions
on mining
claims.

(1) The recorded holder of a mining claim heretofore or hereafter recorded shall perform or cause to

be performed thereon work which shall consist of stripping or opening up the mine, sinking shafts or other, actual mining operations, to the extent of forty days' work of not less than eight hours per day, in each and every year for the five years immediately following the date of recording:

- (a) Where at least thirty, but not less than ^{Amount.} forty, days' work has been performed within the three months immediately following the recording of a mining claim recorded before the enactment of this subsection, the remainder of the forty days' work may be deferred to a period not later than the second year for performing work on such claim.

NOTE.—It is proposed that subsection 1, clause a, of this Bill be amended by striking out the word "not" in the first line thereof.

- (2) The work may be performed in a less time than herein specified, and if more work is performed by or on behalf of the recorded holder than is herein required during the first or any subsequent years, the excess, upon proof of the same having been performed, shall be credited by the Recorder upon the work required to be done during the subsequent year or years. ^{Work done within earlier period and allowance for excess.}
- (3) Boring by diamond or other bore drill shall count ^{Drilling.} as work at the rate of two days' work for every foot of boring.
- (4) The recorded holder of a mining claim shall, not later than ten days after the expiration of each year for performing work, make a report (Form 14) as to the work done or caused to be done by him during such year, verified by affidavit (Form 15), but a report shall not be required for any year in which, in consequence of the work having been previously done and reported, no work has been done. ^{Report of holder upon work.}
- (a) The report shall show in detail the names and residences of the men who performed the work and the dates upon which each man worked in its performance.

Rev. Stat.,
c. 32, s. 79,
amended.

12.—Section 79 of *The Mining Act of Ontario* is amended by striking out the clause lettered *e*.

Rev. Stat.,
c. 32,
s. 104 (1),
amended.

13.—Subsection 1 of section 104 of *The Mining Act of Ontario* is amended by inserting after the word “located” in the second line the following words “with reservation of mines, minerals or mining rights to the Crown.”

Rev. Stat.,
c. 32,
s. 106(2),
(as amended
by 1915,
c. 13, s. 6),
repealed.

14.—Subsection 2 of section 106 of *The Mining Act of Ontario* as enacted by section 6 of *The Mining Amendment Act, 1915*, is repealed, and the following substituted therefor:

Application
for patent.

(2) The application for a patent or lease shall be made to the Recorder within one year from the date before which all work on a mining claim is required to be performed.

Rev. Stat.,
c. 32,
s. 111(a),
(as amended
by 1917,
c. 11, s. 1),
amended.

15.—Section 111a of *The Mining Act of Ontario* as enacted by Chapter 11 of the Ontario Statutes, 1917, is amended by striking out the word “hereafter” in the first line and inserting after the word “Act” in the second line the following words “on or after the 12th day of April, 1917.”

Rev. Stat.,
c. 32,
s. 112 (1)
(as amended
by 1918,
c. 9, s. 8)
amended.

16.—Subsection 1 of section 112 of *The Mining Act of Ontario* is amended by striking out the word “hereafter” at the end of the first line of the proviso added to the said subsection by section 8 of *The Mining Law Amendment Act, 1918*, and inserting after the word “recorded” in the second line of the said proviso the words “on or after the 26th day of March, 1918.”

Rev. Stat.,
c. 32
(as amended
by 1916,
c. 12, s. 4),
amended.

17.—Section 183a of *The Mining Act of Ontario* as enacted by section 4 of *The Mining Amendment Act, 1916*, is amended by striking out the words “at intervals of not more than two weeks” in the fifth and sixth lines, and substituting therefor the words “not less frequently than twice a month.”

Commence-
ment of Act.

18.—This Act shall come into force upon receiving the assent of His Honour, the Lieutenant-Governor.



NOTE.—It is proposed to add the following section:—

17a. Section 123 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

123.—(1) Except as provided by sections 182 and 183, no action shall lie nor shall any other proceedings be taken in any court as to any matter or thing upon which before or after the issue of the patent any right, privilege or interest conferred by or under the authority of this Act depends, but save as in this Act otherwise provided every claim, question and dispute in respect to any such matter or thing, shall be determined by the Commissioner, and in the exercise of the powers conferred by this section the Commissioner may make such order and give such directions as he may deem necessary for making effectual and enforcing compliance with his decision.

(2) Without limiting the general powers conferred by the next preceding subsection, it is declared that the Commissioner shall have jurisdiction and power to hear and determine all claims, questions and disputes arising before or after patent between contesting claimants or between the Crown and a claimant: Matters
to be
determined
by court.

- (a) For or in respect of any mining claim, quarry claim, mining lands or mining rights or any right, title or interest therein;
- (b) As to the existence, validity or forfeiture of any mining claim, quarry claim, working permit or boring permit, or application therefor or of any right or privilege or interest which may before or after patent be acquired under the provisions of this Act;
- (c) As to the boundaries and extent of the lands or rights included in any mining claim, quarry claim, working permit or boring permit, or application therefor, or in any such other right, privilege or interest;
- (d) As to the right to possession of or the right to enter or prospect upon or stake out any mining claim, quarry claim, mining lands or mining rights;
- (e) As to any right claimed under regulations made by the Lieutenant-Governor in Coun-

cil under the authority of subsection 2 of section 187;

- (f) As to whether and to what extent any mining claim or quarry claim or any working permit or boring permit or any other right, privilege or interest acquired by anyone under the provisions of this Act has before or after patent been transferred to or become vested in any other person.

- (3) Any party to any proceeding under this Act, which proceeding involves any matter or thing upon which any right, privilege or interest in or in connection with patented mining rights or mining lands, may at any stage of such proceedings, not later than ten days before any date which may have been fixed by the Commissioner for the hearing or trial thereof, apply in the Supreme Court to a judge thereof in chambers at Osgoode Hall, for an order transferring the proceedings, or any question therein, to the Supreme Court, or a judge thereof, on such terms, and subject to such directions for the transfer of such proceedings and the continuation and hearing thereof in the Supreme Court and as to costs as may be deemed just.



No. 129.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Mining Act of
Ontario.

1st Reading, 28th February, 1921.
2nd Reading, 14th March, 1921.
3rd Reading, 1921.

*(Reprinted with suggested amendments
for consideration by Committee of the
Whole House.)*

Mr. MILLS.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Mining Act of Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mining Amendment Act, 1921.* Short title.



2. The clause lettered *j* of section 2 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 32, s. 2,
cl. *j*,
repealed.

(*j*) The noun “mine” shall include any opening or excavation in, or working of, the ground for the purpose of winning, opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, soil, rock, bed of earth, clay, sand, gravel or cement, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also for the purposes of Parts IX and X, any quarry, excavation or opening in the ground made for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand, gravel or cement and any roast-yard, smelting-furnace, mill, work or place used for or in connection with crushing, reducing, smelting, refining or treating any of said substances.



3.—(1) The clause lettered *c* in section 2 of *The Mining Act of Ontario* is amended by striking out the words “Minister of Lands, Forests and Mines” in the fifth line and substituting therefor the words “Minister of Mines.”

Rev. Stat.,
c. 32, s. 2 (c)
amended.

Rev. Stat.,
c. 32 s. 2 (d)
amended.

(2) The clause lettered *d* in the said section is amended by striking out the words "Department of Lands, Forests and Mines," and substituting therefor the words "Department of Mines."

Rev. Stat.,
c. 32, s. 2 (o)
repealed.

(3) The clause lettered *o* of the said section is repealed and the following substituted therefore:—

"Minister."

(o) "Minister" shall mean Minister of Mines except where a contrary intention appears.

Rev. Stat.,
c. 32, s. 4,
repealed.

4. Section 4 of *The Mining Act of Ontario* is repealed.

Rev. Stat.,
c. 32, s. 6 (1)
amended.

5.—(1) Subsection 1 of section 6 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" in the fourth line and substituting therefor the word "Department."

Rev. Stat.,
c. 32, s. 19,
amended.

(2) Section 19 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" where it occurs in the third and tenth lines and substituting therefor the word "Department."

Rev. Stat.,
c. 32,
s. 23 (6)
amended.

(3) Subsection 6 of section 23 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" in the fifth line and substituting therefor the word "Department."

Rev. Stat.,
c. 32,
s. 50 (b)
amended.

(4) Clause *b* of section 50 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the ninth line.

Rev. Stat.,
c. 32,
s. 51 (b)
amended.

(5) Clause *b* of section 51 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the tenth line.

Rev. Stat.,
c. 32, s. 11,
amended.

6.—Section 11 of *The Mining Act of Ontario* is amended by striking out the words "engaged in educational or other institutions" in the third line thereof.

Rev. Stat.,
c. 32,
s. 13 (1),
amended.

7.—(1) Subsection 1 of section 13 of *The Mining Act of Ontario* is amended by striking out the words "inspecting officer" in the fourth line and inserting after the word "Recorder" in the fourth line the words "or other officer."

Rev. Stat.,
c. 32,
s. 13 (2),
amended.

(2) Subsection 2 of the said section is amended by striking out the words "inspecting officer" in the third line, and inserting after the word "Recorder" in the third line the words "or other officer."

8.—Subsection 2 of section 15 of *The Mining Act of Ontario* is amended by striking out the figures “\$3” in the third line and substituting therefor the figures “\$4.” Rev. Stat., c. 32, s. 15, amended.

9.—*The Mining Act of Ontario* is amended by adding thereto the following section: Rev. Stat., c. 32, amended.

36a. No mining claim shall be staked out or recorded on land sold or located under *The Public Lands Act* in which the mines, minerals or mining rights have not been reserved.

10.—Section 68a of *The Mining Act of Ontario* as enacted by section 5 of *The Mining Amendment Act, 1920*, is repealed, and the following substituted therefor. Rev. Stat., c. 32, (as amended by 1920, c. 13, s. 5) repealed.

68a. Every licensee who stakes out and records a mining claim on his own license shall be given by the Recorder two free assay coupons on recording the same, and two additional free assay coupons on recording each forty days' work thereafter, and on forwarding or delivering, charges prepaid, samples from the mining claim to the Provincial Assayer, Toronto, together with one coupon for each sample, he shall be entitled to have the same assayed for one or other of the following metals—namely, gold, silver, copper, lead, zinc, or metallic iron, or upon forwarding or giving two coupons he may have one assay made for one or other of the following metals—namely, nickel, cobalt, tin or tungsten. Right of free assay by assay office.

68b. Where the recorded holder of a mining claim abandons the same, or where the claim is cancelled or forfeited under this Act, he may take from the same any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, within six months after such abandonment, cancellation, or forfeiture, or within such further time as may be fixed by the Mining Commissioner. Any such machinery, property or ore remaining on the claim after the expiry of such time shall belong to His Majesty for the use of Ontario. Where claim abandoned, cancelled or forfeited.



11.—(1) Subsection 1 of section 78 of *The Mining Act of Ontario*, as amended by subsection 1 of section 3 of *The Mining Amendment Act, 1914*, is repealed and the following substituted therefor:— Rev. Stat., c. 32, s. 78, subs. 1, repealed.

Working
conditions
on mining
claims.

- (1) The recorded holder of a mining claim heretofore or hereafter recorded shall, within five years immediately following the recording thereof, perform or cause to be performed thereon work which shall consist of stripping or opening up mines, sinking shafts or other actual mining operations to the extent of 200 days' work of not less than eight hours per day, which work shall be performed as follows: At least 30 days' work within three months immediately following the recording of the claim, and not less than 40 days in each of the remaining four years, provided that in any one of the said five years 10 days' additional work shall be done to make up the total of 200 days.

Rev. Stat.,
c. 32, s. 78,
subs. 3,
repealed.

- (2) Subsection 3 of section 78 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

Drilling.

- (3) Boring by diamond or other core drill shall count as work at the rate of 2 days' work for every foot of boring.



Rev. Stat.,
c. 32,
s. 104 (1),
amended.

- 12.** Subsection 1 of section 104 of *The Mining Act of Ontario* is amended by inserting after the word "located" in the second line the following words "with reservation of mines, minerals or mining rights to the Crown."

Rev. Stat.,
c. 32,
s. 106 (2),
(as amended
by 1915,
c. 13, s. 6),
repealed.

- 13.** Subsection 2 of section 106 of *The Mining Act of Ontario* as enacted by section 6 of *The Mining Amendment Act, 1915*, is repealed, and the following substituted therefor:

Application
for patent.

- (2) The application for a patent or lease shall be made to the Recorder within one year from the date before which all work on a mining claim is required to be performed.

Rev. Stat.,
c. 32,
s. 111(a),
(as amended
by 1917,
c. 11, s. 1),
amended.

- 14.** Section 111a of *The Mining Act of Ontario* as enacted by Chapter 11 of the Ontario Statutes, 1917, is amended by striking out the word "hereafter" in the first line and inserting after the word "Act" in the second line the following words "on or after the 12th day of April, 1917."

Rev. Stat.,
c. 32,
s. 112 (1)
(as amended
by 1918,
c. 9, s. 8)
amended.

- 15.** Subsection 1 of section 112 of *The Mining Act of Ontario* is amended by striking out the word "hereafter" at the end of the first line of the proviso added to the said subsection by section 8 of *The Mining Law Amendment Act, 1918*, and inserting after the word "recorded" in the second

line of the said proviso the words "on or after the 26th day of March, 1918."

16. Section 183a of *The Mining Act of Ontario* as enacted by section 4 of *The Mining Amendment Act, 1916*, is amended by striking out the words "at intervals of not more than two weeks" in the fifth and sixth lines, and substituting therefor the words "not less frequently than twice a month."

Rev. Stat.,
c. 32,
(as amended
by 1916,
c. 12, s. 4),
amended.



17.—(1) Section 123 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 32, s. 123,
repealed.

123.—(1) Except as provided by sections 182 and 183, no action shall lie nor shall any other proceedings be taken in any court as to any matter or thing upon which before or after the issue of the patent any right, privilege or interest conferred by or under the authority of this Act depends, but save as in this Act otherwise provided every claim, question and dispute in respect to any such matter or thing, shall be determined by the Commissioner, and in the exercise of the powers conferred by this section the Commissioner may make such order and give such directions as he may deem necessary for making effectual and enforcing compliance with his decision.

Claims,
rights and
disputes
to be
determined
by Com-
missioner.

(2) Without limiting the general powers conferred by the next preceding subsection, it is declared that the Commissioner shall have jurisdiction and power to hear and determine all claims, questions and disputes arising before or after patent between contesting claimants or between the Crown and a claimant:

- (a) For or in respect of any mining claim, quarry claim, mining lands or mining rights or any right, title or interest therein;
- (b) As to the existence, validity or forfeiture of any mining claim, quarry claim, working permit or boring permit, or application therefor or of any right or privilege or interest which may before or after patent be acquired under the provisions of this Act;
- (c) As to the boundaries and extent of the lands or rights included in any mining claim, quarry claim, working permit or boring

permit, or application therefor, or in any such other right, privilege or interest;

- (d) As to the right to possession of or the right to enter or prospect upon or stake out any mining claim, quarry claim, mining lands or mining rights;
- (e) As to any right claimed under regulations made by the Lieutenant-Governor in Council under the authority of subsection 2 of section 187;
- (f) As to whether and to what extent any mining claim or quarry claim or any working permit or boring permit or any other right, privilege or interest acquired by anyone under the provisions of this Act has before or after patent been transferred to or become vested in any other person.

Transfer of proceedings to Supreme Court.

- (3) Any party to any proceeding under this Act, which proceeding involves any matter or thing upon which any right, privilege or interest in or in connection with patented mining rights or mining lands, may at any stage of such proceedings, not later than ten days before any date which may have been fixed by the Commissioner for the hearing or trial thereof, apply in the Supreme Court to a judge thereof in chambers at Osgoode Hall, for an order transferring the proceedings, or any question therein, to the Supreme Court, or a judge thereof, on such terms, and subject to such directions for the transfer of such proceedings and the continuation and hearing thereof in the Supreme Court and as to costs as may be deemed just.

Pending actions.

- (2) The amendment made by subsection 1 of this section shall not apply to or affect any action or proceeding pending at the time of the commencement of this Act, nor any claim of right or cause of action that may be asserted in such action or proceeding whether against the original parties thereto or against persons who have subsequently been or who may hereafter be added as parties thereto, and every such action or proceeding may be continued and shall be heard, determined and disposed of as if this section had not been passed.

Commencement of Act.

- 18.** This Act shall come into force on receiving the assent of His Honour the Lieutenant-Governor.



No. 120.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Mining Act of
Ontario.

1st Reading, 28th February, 1921.
2nd Reading, 14th March, 1921.
3rd Reading, 1921.

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. MILLS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 130.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 425 of *The Municipal Act* is amended by striking out the figures “\$300” in the third line thereof, and by substituting therefor the figures “\$500.”

Rev. Stat.,
c. 192,
s. 425,
amended.
Remunera-
tion of
chairman of
committees.

No. 130.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	23rd February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HILL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding the following as section 504a:—

Formation of Police Villages in Provisional Judicial Districts.

- 504a.—(1) A locality in an organized township or in two or more adjoining organized townships in a provisional judicial district may be erected into a police village by order of the Ontario Railway and Municipal Board.
- (2) The order may be made by the board on receipt of a petition signed by a majority of the freeholders of the locality whose names are entered on the last revised assessment roll, and by a sufficient number of the resident tenants of the locality whose names are entered on such roll to make up with such freeholders a majority of the whole number of freeholders and tenants whose names are so entered.
- (3) No police village shall be erected under this section until the locality described in the petition contains a population of not less than one hundred and fifty and has an area of not more than **five** hundred acres, but the board may increase the area of such village in the like manner and under the same circumstances as are set out in section 504 in the case of a police village situate in a county, and section 504 shall

Erection
police
villages in
provisional
judicial
districts.

Order of
Railway
Board on
receipt of
petition.

Area of
police vil-
lages in
provisional
judicial
district.

mutatis mutandis apply to proceedings under this section.

Provisions
of Act re
police vil-
lages in
counties
to apply.

- (4) All the provisions of this Act with regard to police villages in counties shall, so far as practicable, apply to a police village erected in a provisional judicial district.

No. 131.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	24th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HALL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Collection of Income Tax by Municipalities.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal Income Tax Collection Act, 1921.* Short title.

2. In this Act,—

- (a) “Employee” shall mean and include any person over the age of 18, and under the age of 60 years who is employed by any firm, corporation, or other person by the hour, day, week, month, or year, or employed on contract within the municipality in which this Act is in force;
- (b) “Employer” shall mean and include any person, firm, or corporation, or contractor within the municipality in which this Act is in force, who engages or employs any person in any manner of work within the municipality;
- (c) “Municipality” shall mean and include any municipality that passes a by-law under the authority of this Act; “Municipality.”
- (d) “Income” shall mean and include any wage, salary, commission, bonus, or payments on contract within the municipality. “Income.”

3. Notwithstanding anything contained in *The Assessment Act*, or in any general or specific Act of the Legislature, the council of any city, town, township or village may by by-law enforce the collection of income tax from all employers of labour with respect to their employees, in the following manner:—

Collection of income tax from employers.

Notice of
tax to be
forwarded
by
Treasurer.

- (1) The treasurer of any municipality that adopts this Act shall, immediately after the passing of the necessary by-law, and subsequently as occasion demands, forward to all employers within the municipality a notice of the rate of percentage to be collected in respect of each employee, and a schedule of exemptions in accordance with *The Assessment Act* then in force, and further described as in Schedule "A";

Employee
to take affi-
davit when
entered on
pay-roll.

- (2) Every employee, before being entered on the pay roll of any firm, corporation, contractor, or other person within the municipality, shall take and subscribe to an oath as to his or her name, age, residence, married or single, and the number of children under the age of 16 years that he or she is the sole support of, said forms of affidavit to be supplied by the municipality, being further described in this Act as Schedule "B";

Collection
of tax—
monthly
return by
employer.

- (3) All income taxes shall be collected monthly by the employer from the earnings of employees for the past month, or when leaving or being discharged by such employer during the month, and each and every employer shall make a monthly statement, or return, to the treasurer of the municipality together with the amount collected, on or before the 15th day of the month following the period on which deductions were made, said return shall be made on a form supplied by the municipality and further described as in Schedule "C";

Who may
administer
oath.

- (4) For the purpose of this Act each and every employer or his time-keeper shall have the power to administer the oath required as in section 3, subsection 2;

Tax under
this Act to
be deemed
collected in
framing
rate of
assess-
ment.

- (5) Each municipality in annually striking the rates to be levied on taxable incomes, shall deem that the full amount of taxes to be recovered under this Act will be collected, and they shall not be required to make allowance for depreciation, or abatement for non-collection of income tax.

Income
Assessment
Roll.

4. The council of each municipality that adopts this Act shall provide a separate roll to be known as the income assessment roll of the municipality, in which the treasurer

shall record, from the monthly returns of employers, the names, place of employment, and the said roll shall thus be added to and amended from month to month.

5. In the preparation of voters' lists of the municipality this income assessment roll shall be deemed to be of the same effect as the assessment roll of the municipality.

Voters' List
—effect of
Income As-
sessment
Roll.

6. The treasurer of the municipality in which this Act is in force shall distribute the monthly collections of income tax in the same manner as any other tax collections, apportioning the said collections to the various purposes for which collected.

Distribu-
tion of
tax after
collection.

SCHEDULE "A."

MUNICIPAL CORPORATION OF

Date.....

To.....

Address.....

Take notice that the following is a Schedule of exemptions on Income Tax according to the latest Revised Statutes of Ontario, and that the rate of percentage is that established by By-law, No..... of the Municipality of..... And further take notice that this rate of exemption covering all persons for the purpose of Income Tax Collection, and the rate of percentage to be deducted and remitted to the Treasurer of the said Municipality, shall be used and remain in force until such times as the By-law authorizing same shall be repealed or amended, when due notice will be given thereof.

EXEMPTIONS:—

Unmarried persons or Widowers without children...\$.....

Married persons without family.....\$.....

For each child under the age of 16.....\$.....

The percentage to be used for the purpose of computing the amount of deductions for Income Tax as established by By-law of the Municipal Council is.....MILLS.

SCHEDULE "B."

Date

Declaration of Employer with reference to certain facts to be used in arriving at their exemption on Income for Municipal purposes.

Name.....

Home Address.....

Present Residence.....

Age.....

Married or single.....

Number of children under the age of 16 years.....

Employed by.....

Salary or wage.....per month.

Signature.....

Sworn before me at.....

in the.....of.....

on.....day of

A Commissioner, etc.

SCHEDULE "C."

Return of Collection of Income Tax for the month ending....

.....From.....

To the Treasurer of the Municipality
of.....

Date.....

Name.

Residence.

Amount Collected.

No. 132.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Collection of In-
come Tax by Municipalities.

1st Reading,	24th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. LANG.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Audit Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sections 5 and 6 of *The Audit Act* are repealed and the following substituted therefor:—

Rev. Stat.
c. 23, ss.
5 and 6,
repealed.

5. There shall be an assistant auditor who shall be appointed by the Lieutenant-Governor in Council and who, in case of the absence of the Auditor owing to illness or otherwise, or in case of a vacancy in the office, shall during such absence or vacancy possess the powers and perform the duties of the Auditor.

Assistant
Auditor.

6. The Lieutenant-Governor in Council, upon the recommendation of the Auditor, may appoint such officers, clerks or persons as the Auditor may deem necessary to be employed in the audit office.

Appoint-
ment of
officers.

2. Section 15 of *The Audit Act* is repealed and the following substituted therefor:—

Rev. Stat.
c. 23, s. 15,
repealed.

15. Every cheque issued by the Treasurer shall be countersigned by the Auditor or by an officer designated by the Auditor for that purpose, but before any cheque is countersigned the Auditor shall satisfy himself that the issue of the cheque is authorized.

Counter-
signing
cheques.

3. Section 5 of *The Audit Act*, as enacted by this Act, shall take effect from and after the first day of January, 1921.

Commence-
ment of
section 5.

No. 133.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Audit Act.

1st Reading,	24th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Taxation of Real Estate Transfers.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Land Transfers Tax Act*. Short title.
1921.

2. A tax of one-fifth of one per centum upon the amount of the purchase price shall be paid by the party registering same upon every transfer, conveyance, deed, instrument, or writing whereby any land, tenements or other realty sold shall be granted, assigned, transferred or otherwise conveyed to or vested in the purchaser or purchasers, or in any other person or persons by his, her or their direction. Tax on transfers of land.

3. Such tax shall be collected by the registrar or master of titles, as the case may be, before he registers such transfer, conveyance, deed or other instrument, and any registrar or master of titles not paid by salary shall be entitled to retain to his own use two per centum of the moneys collected by him under section 2 hereof. Collection of tax by registrar or master of titles.

4. Provided that where any such instrument or instruments may be registered or entered in more than one registry office or land titles office or in a registry and land titles office the tax imposed hereby shall be payable once only in respect of any one transfer or conveyance, and shall be payable upon the delivery to the registrar or lodging in the land titles office the first instrument registered or lodged in such transaction. Tax to be payable only on one registration.

5. The registrar and master shall within the first week of each month send to the Treasurer of Ontario a statement of the amount collected during the previous month in respect of said tax and shall pay over the amount thereof, less the Monthly returns by registrar and master.

percentage provided for in section 3 hereof, to the Treasurer of Ontario for the uses of Ontario.

Affidavit of
purchaser.

6. The purchaser shall make and file with the registrar or master an affidavit showing the full and true amount of the moneys and the value of any property or security given as consideration.

Where
instrument
covers
lands in
two or
more
divisions.

7. Where the lands covered by such transfer, conveyance or deed are partly in one registry division and partly in another or parts of the land are registered under *The Land Titles Act* and parts are subject to *The Registry Act*, the registrar or master receiving the tax shall retain the percentage mentioned in section 3, and shall pay over to the registrar or master in whose office any conveyance or transfer is subsequently registered or entered, such proportion of the percentage as may be agreed upon between them, and in case of disagreement the amount to be paid shall be determined by the inspector of registry offices.

Payment
of tax
under
protest.

8. Where the right of the registrar or master to require the payment of the tax or any portion thereof under this Act is disputed by the person registering or lodging the transfer or conveyance, the tax may be paid under protest and the registrar or master shall give a receipt in writing signed by him for the amount paid, and shall state that the same has been received, and shall thereupon refer the matter to the decision of the Treasurer, or such official as the Treasurer may appoint, who may order the refund of the tax or any portion thereof to the person who paid the same.

9. Section 70 of chapter 20, Ontario Statutes, 1918, and section 37 of chapter 25, Ontario Statutes, 1919, are repealed.

10. This Act shall come into force and take effect on, from and after the first day of June, 1921.

No. 134.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Taxation of Real
Estate Transfers.

1st Reading	24th February, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Highway Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Improvement Act, 1921.* Short title.

2. In addition to any sums heretofore appropriated for highway improvement and directed to be placed to the credit of the Highway Improvement Fund Account, the sum of \$7,000,000 to be chargeable upon and payable out of the Consolidated Revenue Fund shall be placed to the credit of the said account and shall be available for the purposes of *The Highway Improvement Act, The Provincial Highway Act, and The Ontario Highways Act* as part of the Highway Improvement Fund. \$7,000,000 added to Highway Improvement Fund.

No. 135.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Highway Improvement Act.

1st Reading,	24th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. Biges.

BILL

An Act to amend The Corporations Tax Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Corporations Tax Act*, Short title.
1921.

2. The clause lettered (a) in subsection 2 of section 4 1914, c. 11, s. 2, of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, and amended by section 3 of *The Corporations Tax Act, 1920*, is amended by adding thereto the words:—

“and one-tenth of one per cent. on the reserve fund and undivided profits thereof.” Tax on bank reserves.

3. Subsection 7 of section 4 of *The Corporations Tax Act*, 1914, c. 11, s. 2, as enacted by section 2 of *The Corporations Tax Act, 1914*, amended. is amended by striking out the figures “\$25,” where they occur in the eighth line thereof, and substituting therefor the figures “\$40.”

4. Subsection 11 of section 4 of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by striking out the words “one-quarter of one per cent.” and substituting therefor the words “one-half of one per cent.” Additional tax on railways. 1914, c. 11, s. 2, amended. Telephone companies.

5. Subsection 14 of section 4 of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by inserting after the word “by” in the second line thereof the word “operating” and by striking out the words “sleeping, parlour, dining” where they occur in the second line thereof and by adding at the end thereof the following clause:— 1914, c. 11, s. 2, amended.

Car
companies.

- (a) Every company transacting business in Ontario by leasing, hiring or operating sleeping, parlour or dining cars run upon or used by any railway within Ontario shall pay a tax of \$10,000 per annum.

1914,
c. 11, s. 2,
amended.

6. Section 4 of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by adding thereto the following subsection:—

Navigation
companies.

- (18) Every navigation company and every company transacting business in Ontario by operating, leasing or hiring steamboats shall pay a tax of one-tenth of one per centum on the paid-up capital thereof.

Rev. Stat.,
c. 11, s. 7;
1916,
c. 8, s. 3,
amended.

7. Section 7 of *The Corporations Tax Act*, as amended by section 3 of chapter 8 of the Ontario Statutes, 1916, is amended by striking out all the words therein after the word "until" in the third line and substituting therefor the words:—

When
taxes
to be
payable.

"the first day of July and in default of payment on the first day of July as aforesaid a penalty of five per centum of the amount of such tax shall be added thereto and thereafter a further penalty of one per centum per month shall be added for each additional month or portion thereof during which the said tax and penalty remain unpaid."

Rev. Stat.,
c. 11, s. 8,
amended.
Time for
making
returns.

8. Section 8 of *The Corporations Tax Act* is amended by substituting the word "May" for the word "June" where it occurs in the second line thereof.

1914,
c. 11, s. 5,
amended.

9. Subsection 1 of section 12a of *The Corporations Tax Act*, as enacted by section 5 of *The Corporations Tax Act, 1914*, is amended by adding thereto the following clause:—

Returns of
stock
transfers,
etc., by
transfer
agent.

- (c) In the case of a company which has duly appointed a trust company as transfer agent for its shares or debenture stock the Treasurer may accept in connection with the annual return of such company a statement from the transfer agent to the effect that the tax on all transfers made during the preceding year has been accounted for in accordance with the provisions of the Act and the regulations pertaining thereto.

Rev. Stat.,
c. 27, s. 16,
amended.

10. Section 16 of *The Corporations Tax Act* is amended by adding thereto the following subsection:—

- (2) The Lieutenant-Governor in Council may make ^{Stock} transfers.
 arrangements with any person for the exclusive
 sale of stamps to him in any locality and for such
 time as he may think fit at a discount not exceed-
 ing 5 per cent.

11. This Act shall come into force on the day upon which ^{Commence-}
 it receives the Royal Assent. ^{ment of}
 Act.

No. 136.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Corporations Tax
Act.

1st Reading	24th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Reciprocal or Inter-Insurance.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Reciprocal or Inter-Insurance Act, 1921.* Short title.

2. In this Act,—

Interpretation.

- (a) “Attorney” shall mean a person authorized to act for subscribers as provided in section 4;
- (b) “Exchange” shall mean a group of subscribers exchanging reciprocal contracts of indemnity or inter-insurance with each other through the same attorney;
- (c) “Subscribers” shall mean persons exchanging with each other reciprocal contracts of indemnity or inter-insurance as provided in section 3;
- (d) “Superintendent” shall mean the superintendent of insurance and shall include the deputy superintendent of insurance.

3. It shall be lawful for any person to exchange with other persons in Ontario and elsewhere reciprocal contracts of indemnity or inter-insurance against any loss which may be insured against by any fire insurance company or association under *The Ontario Insurance Act.* Authority for exchange of reciprocal contracts of insurance.

4.—(1) Such contracts may be executed on behalf of such persons by any other person acting as attorney under a power of attorney a copy of which has been duly filed as hereinafter provided: Execution of contract.

Who may
maintain
action in
contract.

(2) Notwithstanding any condition of any such power of attorney or of any such contract of indemnity or inter-insurance, any action or proceeding in respect of any such contract may be maintained in any court of competent jurisdiction in Ontario.

Declara-
tion by
members
of exchange.

5. The persons constituting the exchange shall, through their attorney, file with the superintendent a declaration verified by oath, setting forth:—

- (a) The name of the attorney and the name or designation under which such contracts are issued, which name or designation shall not be so similar to any other name or designation previously adopted by any similar organization, or by any insurance company or association, as in the opinion of the superintendent to be likely to result in confusion or deception;
- (b) The kind or kinds of insurance to be effected or exchanged;
- (c) A copy of the form of the policy, contract or agreement under or by which such reciprocal contracts of indemnity or inter-insurance are to be effected or exchanged;
- (d) A copy of the form of power of attorney under which such contracts are to be effected or exchanged;
- (e) The location of the office or offices from which such contracts are to be issued;
- (f) That applications have been made for indemnity upon at least seventy-five separate risks aggregating not less than one and one-half million dollars as represented by executed contracts or *bona fide* applications to become concurrently effective;
- (g) That there are on deposit with such attorney, and available for payment of losses, assets of not less than fifty thousand dollars;
- (h) A financial statement in form prescribed by the superintendent for the annual statement of the exchange.

6.—(1) Where the office from which such contracts are to be issued is not in Ontario, the attorney shall, concurrently with the filing of the declaration provided for in section 5, file with the superintendent an instrument executed in duplicate appointing a person resident in Ontario as attorney or agent of the exchange to receive service of notice or process in all actions or proceedings in Ontario, and declaring at what place in Ontario the office of such attorney or agent for such service is located. Attorney to accept process.

(2) Service upon such attorney or agent, or upon an officer or clerk at such office shall be deemed service upon the subscribers. Service on attorney.

(3) Upon any change of attorney or agent for service of notice or process, or of the location of his office in Ontario, or if from any cause the instrument filed appointing such attorney or agent becomes invalid or ineffectual, notice thereof shall forthwith be given to the superintendent and a new instrument filed in like manner and form.

7. There shall be filed with the superintendent by the attorney, whenever and as often as the same shall be required, a statement under oath showing the maximum amount of indemnity carried by the exchange upon any single risk. Statement of maximum amount carried by exchange.

8.—(1) There shall at all times be maintained with such attorney as a reserve fund, a sum in cash or convertible securities equal to fifty per cent. of the aggregate net annual deposits collected and credited to the accounts of subscribers on contracts having one year or less to run and *pro rata* on those for longer periods. "Net annual deposits" shall be construed to mean the advance payments of subscribers after deducting therefrom the amounts specifically provided under subscribers' agreements for expenses. Reserve fund.

(2) Such sum in reserve shall at no time be less than the foregoing requirements or less than fifty thousand dollars, whichever is the greater; and if at any time such reserve computed as provided herein is less than the amount above required, or less than fifty thousand dollars, whichever is the greater, the subscribers shall make up any deficiency. Maintenance of reserve fund.

9.—(1) The attorney shall make a report to the superintendent for each calendar year in such form as the superintendent may prescribe, showing the financial condition of the affairs of the exchange and shall furnish such additional information and reports as may be required to show the total premiums or deposits collected, the total losses paid, Annual report by attorney.

the total amounts returned to subscribers and the amounts retained for expenses; provided that the attorney shall not be required to file the names and addresses of any subscribers.

Inspection. (2) The business affairs, records and assets of the exchange shall be subject to examination by the superintendent or by officers duly appointed or authorized by him.

Expenses of inspection out of Ontario. (3) Where the office at which such examination is made is not in Ontario, the attorney shall pay the expenses of such examination, upon receipt by the attorney of a notice from the superintendent of the amount of such expenses.

Issue of certificate. **10.**—(1) Upon compliance with the provisions of sections 5, 6, 7 and 8, the superintendent shall issue a certificate, Form 1.

Fee. (2) Until otherwise prescribed by the Lieutenant-Governor in Council, the fee for each certificate under this section shall be dollars (\$).

Registration of certificate. (3) Such certificate shall be registered as provided by section 68 of *The Insurance Act* and the provisions of the said section 68 shall apply *mutatis mutandis*.

Attorney not to act until certificate issued and registered. **11.**—(1) No person acting as attorney for subscribers at any exchange, or for or on behalf of any such attorney, shall engage in the exchange of reciprocal contracts of indemnity or inter-insurance, or in acts or transactions in connection therewith, unless and until a certificate has been issued and registered as provided in section 10 and unless such certificate is in force.

Penalty. (2) Any attorney or any person or agent representing him, who in contravention of subsection 1 undertakes, or effects, or agrees or offers to undertake or effect, any exchange of reciprocal contracts of indemnity or inter-insurance, or any act or transaction in connection therewith, shall incur a penalty of not less than \$20, nor more than \$200, recoverable under *The Ontario Summary Convictions Act*; and in case of a second or any subsequent conviction shall be liable to imprisonment for any term not exceeding six months.

Burden of proof of registration. (3) The burden of proving registry shall be upon the person charged.

12. In addition to the penalties mentioned in the preceding section, and where not otherwise provided, the penalty for failure or refusal to comply with any or all of the terms and provisions of this Act on the part of the attorney, shall be the refusal, suspension or revocation of the certificate mentioned in section 10 by the superintendent after due notice and opportunity for hearing has been given such attorney to appear and show cause why such action should not be taken.

Revocation
or can-
cellation
of certificate

13. Except as herein provided, the making of reciprocal contracts of indemnity or inter-insurance and such other matters as are properly incident thereto, shall not be subject to the Statutes relating to insurance unless therein specifically provided.

Reciprocal
contracts
not subject
to general
law.

No. 137.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL

An Act respecting Reciprocal or Inter-
Insurance.

1st Reading,	25th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McCREA.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Reciprocal or Inter-Insurance.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Reciprocal or Inter-Insurance Act, 1921.* Short title.

2. In this Act,—

Interpretation.

- (a) "Attorney" shall mean a person authorized to act for subscribers as provided in section 4; "Attorney."
- (b) "Exchange" shall mean a group of subscribers exchanging reciprocal contracts of indemnity or inter-insurance with each other through the same attorney; "Exchange."
- (c) "Subscribers" shall mean persons exchanging with each other reciprocal contracts of indemnity or inter-insurance as provided in section 3; "Subscribers."
- (d) "Superintendent" shall mean the superintendent of insurance and shall include the deputy superintendent of insurance. "Superintendent."

3. It shall be lawful for any person to exchange with other persons in Ontario and elsewhere reciprocal contracts of indemnity or inter-insurance against any loss which may be insured against by any fire insurance company or any automobile insurance company under *The Ontario Insurance Act.* Authority for exchange of reciprocal contracts of insurance.

4.—(1) Such contracts may be executed on behalf of such persons by any other person acting as attorney under a power of attorney a copy of which has been duly filed as hereinafter provided: Execution of contract.

Who may
maintain
action in
contract.

(2) Notwithstanding any condition of any such power of attorney or of any such contract of indemnity or inter-insurance, any action or proceeding in respect of any such contract may be maintained in any court of competent jurisdiction in Ontario.

Declara-
tion by
members
of exchange.

5. The persons constituting the exchange shall, through their attorney, file with the superintendent a declaration verified by oath, setting forth:—

- (a) The name of the attorney and the name or designation under which such contracts are issued, which name or designation shall not be so similar to any other name or designation previously adopted by any similar organization, or by any insurance company or association, as in the opinion of the superintendent to be likely to result in confusion or deception;
- (b) The kind or kinds of insurance to be effected or exchanged;
- (c) A copy of the form of the policy, contract or agreement under or by which such reciprocal contracts of indemnity or inter-insurance are to be effected or exchanged;
- (d) A copy of the form of power of attorney under which such contracts are to be effected or exchanged;
- (e) The location of the office or offices from which such contracts are to be issued;
- (f) In the case of fire insurance that applications have been made for indemnity upon at least seventy-five separate risks aggregating not less than one and one-half million dollars as represented by executed contracts or *bona-fide* applications to become concurrently effective and that there are on deposit with such attorney and available for payment of losses, assets of not less than fifty thousand dollars;
- (g) In the case of automobile insurance that applications have been made for indemnity upon at least five hundred separate risks as represented by executed contracts or *bona-fide* applications to become concurrently effective and that there

are on deposit with such attorney and available for payment of losses assets of not less than twenty-five thousand dollars, and that arrangements satisfactory to the superintendent are in effect for the re-insurance of all liabilities in excess of such limits as the superintendent may prescribe.

(h) A financial statement in form prescribed by the superintendent for the annual statement of the exchange.

(i) Evidence satisfactory to the superintendent that it is the practice of the exchange to require its subscribers to maintain in the hands of the attorney as a condition of membership in the exchange a premium deposit reasonably sufficient for the risk assumed by the exchange.

6.—(1) Where the office from which such contracts are to be issued is not in Ontario, the attorney shall, concurrently with the filing of the declaration provided for in section 5, file with the superintendent an instrument executed in duplicate appointing a person resident in Ontario as attorney or agent of the exchange to receive service of notice or process in all actions or proceedings in Ontario, and declaring at what place in Ontario the office of such attorney or agent for such service is located. Attorney to accept process.

(2) Service upon such attorney or agent, or upon an officer or clerk at such office shall be deemed service upon the subscribers. Service on attorney or agent.

(3) Upon any change of attorney or agent for service of notice or process, or of the location of his office in Ontario, or if from any cause the instrument filed appointing such attorney or agent becomes invalid or ineffectual, notice thereof shall forthwith be given to the superintendent and a new instrument filed in like manner and form. Notification of change.

7. There shall be filed with the superintendent by the attorney, whenever and as often as the same shall be required, a statement under oath showing the maximum amount of indemnity carried by the exchange upon any single risk. Statement of maximum amount carried by exchange.

8.—(1) There shall at all times be maintained with such attorney as a reserve fund, a sum in cash or convertible Reserve fund.

securities equal to fifty per cent. of the aggregate net annual deposits collected and credited to the accounts of subscribers on contracts having one year or less to run and *pro rata* on those for longer periods. "Net annual deposits" shall be construed to mean the advance payments of subscribers after deducting therefrom the amounts specifically provided under subscribers' agreements for expenses.

Maintenance of reserve fund.

(2) Such sum in reserve shall at no time be less than the foregoing requirements nor less than fifty thousand dollars in the case of fire insurance or twenty-five thousand dollars in the case of automobile insurance; and if at any time such reserve computed as provided herein is less than the amount so required, the subscribers shall make up any deficiency.

Investment of surplus funds and reserve.

9.—(1) If the office from which such reciprocal contracts of indemnity or inter-insurance are to be issued is in Ontario, the surplus insurance funds and the reserve fund of the exchange shall be invested in the class of securities authorized by *The Ontario Insurance Act* for the investment of the reserve funds of a provincial insurance corporation.

Evidence as to investments.

(2) If the office from which such contracts are to be issued is not in Ontario it shall be a condition precedent to the issue of a certificate under this Act that evidence satisfactory to the superintendent shall be filed showing that the class of security in which funds of the exchange are required by law to be invested and are in fact invested, is within the limits of investment prescribed for the investment of the reserve funds of an insurance corporation by the jurisdiction in which the office of the exchange is located.

Annual report by attorney.

10.—(1) The attorney shall make a report to the superintendent for each calendar year in such form as the superintendent may prescribe, showing the financial condition of the affairs of the exchange and shall furnish such additional information and reports as may be required to show the total premiums or deposits collected, the total losses paid, the total amounts returned to subscribers and the amounts retained for expenses; provided that the attorney shall not be required to file the names and addresses of any subscribers.

Inspection.

(2) The business affairs, records and assets of the exchange shall be subject to examination by the superintendent or by officers duly appointed or authorized by him.

(3) Where the office at which such examination is made is not in Ontario, the attorney shall pay the expenses of such examination, upon receipt by the attorney of a notice from the superintendent of the amount of such expenses. Expenses of inspection out of Ontario.

11.—(1) Upon compliance with the provisions of this Act the superintendent may in his discretion issue a license for a term not exceeding one year in accordance with the form in schedule "A" hereto and such license shall expire on the date named in the license, but shall be renewable from year to year. Issue of certificate.



(2) If the office from which reciprocal contracts of indemnity or inter-insurance in respect of automobiles are to be issued, is in Ontario, the superintendent may issue to such an exchange a conditional license for a term of not more than one year in accordance with the form in schedule "B" if he is satisfied that applications have been made for indemnity upon at least three hundred separate risks represented by executed contracts or *bona-fide* applications to become concurrently effective and that there are on deposit with the attorney and available for payment of losses, assets of not less than fifteen thousand dollars and that arrangements satisfactory to the superintendent are in effect for the re-insurance of all liabilities in excess of such limits as the superintendent may prescribe and the exchange has otherwise complied with the provisions in this Act, and such conditional license shall expire on the date named in the license and shall not be renewed unless or until the exchange has complied with the requirements of paragraph (g) of section 5 hereof. Conditional license.

(3) Until otherwise prescribed by the Lieutenant-Governor in Council the fee for each certificate under this section shall be one hundred dollars. Fee.

(4) Every certificate issued pursuant to this section shall be registered as provided by section 68 of *The Ontario Insurance Act* and the provisions of the said section 68 shall apply *mutatis mutandis*. Registration of certain sections of certificate.

12. Sections 89, 90, 194, 195, 196, 197 and 198 of *The Ontario Insurance Act* shall apply to an exchange *mutatis mutandis* provided that no variation, omission or addition of or to any statutory condition shall be held to be null and void if such variation, omission or addition shall have been certified by the superintendent to be necessary to accord with the nature of reciprocal contracts of indemnity or inter-insurance. Application of certain sections of Rev. Stat.

Attorney
not to
act until
certificate
issued
and
registered.

13.—(1)  On and after the first day of July, 1921, no  person acting as attorney for subscribers at any exchange, or for or on behalf of any such attorney, shall engage in the exchange of reciprocal contracts of indemnity or inter-insurance, or in acts or transactions in connection therewith, unless and until a certificate has been issued and registered as provided in section 10 and unless such certificate is in force.

Penalty.

(2) Any attorney or any person or agent representing him, who in contravention of subsection 1 undertakes, or effects, or agrees or offers to undertake or effect, any exchange of reciprocal contracts of indemnity or inter-insurance, or any act or transaction in connection therewith, shall incur a penalty of not less than \$20, nor more than \$200, recoverable under *The Ontario Summary Convictions Act*; and in case of a second or any subsequent conviction shall be liable to imprisonment for any term not exceeding six months.



Burden of
proof of
registration.

(3) The burden of proving registry shall be upon the person charged.

Revocation
or can-
cellation
of certificate

14. In addition to the penalties mentioned in the preceding section, and where not otherwise provided, the penalty for failure or refusal to comply with any or all of the terms and provisions of this Act on the part of the attorney, shall be the refusal, suspension or revocation of the certificate mentioned in section 10 by the superintendent after due notice and opportunity for hearing has been given such attorney to appear and show cause why such action should not be taken.

Taxation on
exchange.
Act.

 **15.** For taxation purposes only the exchange shall be deemed to be an insurance company within the meaning of *The Corporations Tax Act*, and the gross premiums of the exchange shall be deemed to be the gross annual deposits collected in respect of risks of subscribers located in Ontario less all sums returned or paid to subscribers as savings. 

Reciprocal
contracts
not subject
to general
law.

16. Except as herein provided, the making of reciprocal contracts of indemnity or inter-insurance and such other matters as are properly incident thereto, shall not be subject to the Statutes relating to insurance unless therein specifically provided and no person shall be deemed to be a company, corporation or insurance corporation within the meaning of *The Ontario Insurance Act* by reason of exchanging with other persons reciprocal contracts of indemnity or inter-insurance under the provisions of this Act.

SCHEDULE "A."

No..... A.D. 19 to 19.....

DEPARTMENT OF INSURANCE.

ONTARIO.

RECIPROCAL LICENSE.

This is to certify that
 being an exchange within the meaning of *The Reciprocal or Inter-Insurance Act, 1921*, has complied with the requirements of the said Act; and the subscribers of the said exchange are hereby licensed and authorized for and during the term beginning on the
 day of , 19 , and ending on the
 day of , 19 , to exchange
 reciprocal contracts of indemnity or inter-insurance against any
 loss which may be insured against by any
 company under *The Ontario Insurance Act*.

Superintendent of Insurance.

SCHEDULE "B."

No..... A.D. 19 to 19.....

DEPARTMENT OF INSURANCE.

ONTARIO.

RECIPROCAL CONDITIONAL LICENSE.

This is to certify that
 being an exchange within the meaning of *The Reciprocal or Inter-Insurance Act, 1921*, has complied with the requirements of sub-section (2) of section 10 of the said Act; and the subscribers of the said exchange are hereby licensed and authorized for and during the term beginning on the day of
 19 , and ending on the day of
 19 , to exchange reciprocal contracts of indemnity or inter-insurance against any loss which may be insured against by any automobile insurance company under *The Ontario Insurance Act*, and this license shall not be renewed unless or until the exchange has complied with the requirements of paragraph (g) of section 5 of the said Act.

Superintendent of Insurance.

No. 137.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL

An Act respecting Reciprocal or Inter-
Insurance.

1st Reading,	25th February, 1921.
2nd Reading,	7th March, 1921.
3rd Reading,	1921.

*(Reprinted as amended by the Legal
Committee.)*

Mr. McCrea.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 3 of *The Local Improvement Act* is amended by adding the following as clause (n):—

Rev. Stat.,
c. 193,
s. 3 (1),
amended.

- (n) On petition only for re-surfacing with asphalt or other suitable material, a pavement having a concrete foundation which in the opinion of the engineer is sufficient therefor although the life-time of the existing pavement has not expired.

Re-sur-
facing
pavement.

No. 138.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL

An Act to amend The Local Improvement
Act.

1st Reading,	25th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SWAYZE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.



BILL

An Act to amend The Local Improvement Act.


HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 3 of *The Local Improvement Act* is amended by adding the following as clause (n):—


Rev. Stat.,
c. 193,
s. 3 (1),
amended.

(n)  Subject to the provisions of section 22a  for re-surfacing with asphalt or other suitable material, a pavement having a concrete foundation which in the opinion of the engineer is sufficient therefor although the lifetime of the existing pavement has not expired.

Re-sur-
facing
pavement.

 2. *The Local Improvement Act* is amended by adding the following as section 22a:—

Rev. Stat.,
c. 193,
amended.

22a. Where the work undertaken is the resurfacing of a pavement as provided by clause (n) of subsection 1 of section 3 the corporation shall assume and pay the special assessments therefor charged against the lots fronting or abutting on the work until the expiration of the period within which such lots are specially assessed for the then existing pavement. 

Assumption
by corpora-
tion of
special as-
sessments
in certain
case.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL

An Act to amend The Local Improvement
Act.

1st Reading.	25th February,	1921.
2nd Reading.	4th March.	1921.
3rd Reading.		1921.

*(Reprinted as amended by the Municipal
Committee.)*

Mr. SWAYZE.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

No. 139.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph *b* of subsection 3 of section 400 of *The Municipal Act* is amended by adding after the word "thereon," in the sixth line of said paragraph the following words, namely: "or in the case of the extension or improvement of waterworks where it is made to appear to the said board that the net revenue derived from such waterworks justifies the construction of such extension or improvement." Rev. Stat., c. 192, s. 400, subs. 3, amended.

No. 139.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading.	28th February, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. HALCROW.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 19a of *The Assessment Act*, as enacted by section 5 of *The Assessment Amendment Act, 1920*, is amended by striking out the figures "200,000" and inserting in lieu thereof the figures "100,000," so that the section will then read:—

Rev. Stat.,
c. 195, s. 19a
(10-11 Geo.
V. c. 63, s. 5)
amended.

- 19a.—(1) In cities having a population of not less than 100,000, every person in receipt of an income liable to assessment shall within the time fixed by by-law of the council forward to the assessment commissioner a statutory declaration according to the form referred to in subsection 1a of section 18 of this Act, showing his total income from all sources during the current year, and in ascertaining such income subsection 2 of section 11 shall apply; provided, however, that this section shall not apply to persons who have made a return to the assessor upon request as provided by section 18;
- (2) The council may by the said by-law fix a different date for each ward for the filing of such declarations;
- (3) Such declarations may be made before the assessor or as provided in section 228.

No. 140.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Assessment Act.

1st Reading,	28th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HALCROW.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 398 of *The Municipal Act* is amended by inserting after paragraph 31a, as enacted by subsection 2 of section 11 of *The Municipal Amendment Act, 1920*, the following as paragraph 31b:—

Rev. Stat.,
c. 192, s. 398,
amended.

10-11 Geo.
V, c. 58.

31b. For the corporation becoming a member of the National Waterways Association of Canada and paying the fees for such membership and for making contributions towards the expenses of such association and paying the expenses of delegates to any meeting of it or upon its business.

Membership
in National
Waterways
Association.

No. 141.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading, 28th February, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. CURRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The School Sites Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 5 of *The School Sites Act* is amended by adding thereto the following subsection:—

Rev. Stat.,
c. 277, s. 5,
amended.

(5b) At any time after a board of a city, having a population of two hundred thousand or over, passes a resolution declaring that any land is required for a school site, or for the enlargement of a school site and that immediate possession thereof is required by it, the board, by leave of the judge and upon payment into the Supreme Court of Ontario of a sum sufficient, in the opinion of the judge, to satisfy the compensation, may enter upon and take possession of the land, and if any resistance or forcible opposition is made to its so doing, the judge may issue his warrant to the sheriff of the county in which the land lies to put the board in possession, and to put down such resistance or opposition, which the sheriff taking with him sufficient assistance, shall accordingly do.

2. Section 13 of *The School Sites Act* is amended by adding thereto the following subsection:—

Rev. Stat.,
c. 277, s. 13,
amended.

(13a) The amount of the award of the arbitrators appointed under this Act, or the majority of them, or the sole arbitrator, shall not exceed (excluding all costs), in the case of a board of education of a city having a population of 200,000 or over, the amount of the assessment,

made immediately prior to the hearing of the arbitration, of the lands and improvements thereon, increased by a sum equivalent to fifty per cent. of such assessment.

Rev. Stat.,
c. 277.

3. *The School Sites Act* is amended by adding thereto the following section:—

Rev. Stat.,
c. 300.

22. The board may acquire by purchase or otherwise or may expropriate any land belonging to a public hospital or charitable institution as defined by *The Hospitals and Charitable Institutions Act*.

No. 142.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The School Sites Act.

1st Reading, 28th February, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RAMSDEN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 288 of *The Municipal Act* is amended by adding thereto the following subsection, namely:— Rev. Stat., c. 192, s. 288, amended.

(12) The following may be included in the amount of any money by-law passed by the council in pursuance of this or any other Act— Inclusion of certain items in amount to be borrowed.

(a) Interest on temporary loans;

(b) The estimated cost of the issue and sale of debentures and any discount allowed to purchasers of them.

2. This amendment shall be read and construed as if it had been enacted on the 1st day of January, 1920. When amendment to take effect.

3. This Act shall come into force on the day it receives the Royal Assent. Force of Act.

No. 143.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	28th February, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HALCROW.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) Subsection 1 of section 53 of *The Municipal Act* is amended by adding thereto the following clause:—

Rev. Stat.,
c. 192,
s. 53 (1),
amended.

(ee) A person who is a member of a board or commission appointed or elected for the construction, management or control of an electrical railway, street railway or steam railway which is owned by, or leased to, or controlled by a municipal corporation, or by trustees, or any board or commission acting for or on behalf of such corporation.

Disqualifica-
tion of cer-
tain persons
as members
of council.

(2) The amendment made by subsection 1 shall have effect notwithstanding the provisions of any general or special Act or any by-law of a municipal corporation.

Force of
amendment.

No. 144.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading, 28th February, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. McCrea.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Factory, Shop and Office Building Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 3 of section 84 of *The Factory, Shop and Office Building Act* is amended by striking out the words “seven of the clock in the afternoon” in the fifth and sixth lines and inserting in lieu thereof the words “twelve noon” so that the subsection will then read:—

Rev. Stat.,
c. 229,
s. 84 (3),
amended.

- (3) The council of a city, town or village may by by-law require that during the whole or any part or parts of the year all or any class or classes of shops within the municipality shall be closed, and remain closed on each or any day of the week at and during any time or hours between twelve noon of any day and five of the clock in the forenoon of the next following day. All by-laws heretofore passed under the authority of this subsection shall on and after the 30th day of April, 1920, cease to be effective in so far as they apply to the sale of fresh fruit, and all by-laws hereafter passed under the provisions of this subsection shall not apply to the sale of fresh fruit.

Early
closing.

2. Subsection 4 of section 84 of *The Factory, Shop and Office Building Act* is amended by striking out the words “three-fourths in number” in the fourth and fifth lines and inserting in lieu thereof the words “a majority of,” so that the said subsection will then read:—

Rev. Stat.,
c. 229,
s. 84 (4),
amended.

- (4) If an application is presented to such council praying for the passing of a by-law requiring the closing of any class of shops situate within the municipality, and the council is satisfied that such application is signed by not less than a majority of the occupiers of shops within the municipality and belonging to the class to which such application relates, the council shall, within one month after the presentation of such application, pass a by-law giving effect thereto and requiring all shops within the municipality belonging to the class specified in the application to be closed during the period of the year and at the times and hours mentioned in subsection 3 as are named in the application.

No. 145.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Factory, Shop and
Office Building Act.

1st Reading,	1st March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SWAYZE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Factory, Shop and Office Building Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



1. Section 84 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following as subsection 4a:—

Rev. Stat.,
c. 229,
s. 84 (4),
amended.

- (4a) If an application is presented to such council praying for the passing of a by-law requiring the closing of any class of shops situate within the municipality, and the council is satisfied that such application is signed by not less than three-quarters in number of the occupiers of shops within the municipality and belonging to the class to which such application relates, the council shall, within one month after the presentation of such application, pass a by-law giving effect thereto and requiring all shops within the municipality belonging to the class specified in the application to be closed and remain closed on one particular day of the week during such time or hours between twelve o'clock noon and five of the clock of the forenoon of the next following day and during such period of the year as are named in the application.



No. 145.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Factory, Shop and
Office Building Act.

1st Reading, 1st March, 1921.
2nd Reading, 7th March, 1921.
3rd Reading, 1921.

*(Reprinted as amended by the Municipal
Committee.)*

Mr. SWAYZE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding the following as section 325a:—

“Deferred” Widening, etc., of Highway.

325a.—(1) A by-law for establishing, extending, widening or diverting a highway or part of a highway may provide that the corporation shall not enter immediately on the land required to be taken or proceed to carry out the work but that same shall be deferred until a day named therein not less than three nor more than fifteen years after the date of the passing of the by-law: By-law may fix future date for widening, etc.

(a) Unless with consent of the owner the corporation shall not enter on any land required to be taken before the date named in the by-law without the leave of the judge; Entry deferred accordingly.

(b) Such by-law shall be binding upon the corporation and shall not be repealed or altered except with leave of the municipal board, given after hearing the owners of the lands proposed to be taken and on such terms as the board may determine in regard to the re-vesting of the land taken and the payment to each owner of the damages, if any sustained by him in consequence of the passing of the by-law or of so much of the by-law as is proposed to be altered and his costs; By-law not to be repealed except with leave of municipal board.

(c) Where the council proposes to pass a by-law under this section, it may register in the Registration of plan in advance.

proper registry office a draft plan of the contemplated work with any supplementary memorandum which may be needed to show its substantial features, and to furnish adequate local description to comply with *The Registry Act*, and the registrar shall enter the same on the abstract index for each parcel of land required to be taken; but if the by-law is not passed within fifteen months after such registration, the registration shall be deemed of no effect;

Land taken shall vest at once in corporation on conditions.

- (d) After the passing of the by-law and subject to any order made by the municipal board under clause (b) of this subsection, the land required to be taken for the work shall be deemed to be vested in the corporation for the purpose of a highway subject to the right of the owner or his assigns to remain in the possession and enjoyment thereof without impeachment of waste, either wanton or permissive, until entry by the corporation as aforesaid, and to utilize the land and to erect buildings thereon during his or their occupancy (subject to the provisions contained in subsection (2) hereof as to compensation in respect of such buildings);
- (i) And thenceforth in the matter of assessment including special or local assessment and the incidence of taxation whether under said by-law or otherwise the lands taken for the work shall be deemed to form a constituent part of the street; but where a building stands partly on land taken for the work and partly on adjoining land, it shall be assessed on the assessment roll of the municipality in the same manner as if it stood entirely on such adjoining land;
- (e) At the date named in the by-law for entry it shall be the duty of the corporation to proceed with diligence and despatch to remove all buildings and obstructions from the lands taken for the work and to put the lands in fit and proper condition and make them available for use as a highway;

- (f) The by-law may be passed without reference to the provisions of *The Local Improvement Act* and by a subsequent by-law passed in due course, the cost of the work may be specially assessed in conformity with said Act, and in such case the provisions of said Act shall apply *mutatis mutandis*, but the owners of the lots liable to be specially assessed shall not have the right to petition against the work.

Compensation under "Deferred" Street-widening By-law.

- (2) Compensation for land taken under a by-law passed by authority of this section shall not become payable until the date fixed in the by-law for entry, and shall be limited to (1) the market value of the land itself, and (2) the structural value of the buildings and improvements on it to the extent to which they would increase the market value of the owner's parcel if the by-law had not been passed, and the same shall be ascertained and determined as set out in this subsection:
- (a) For the purpose of this clause the word "land" shall mean the land itself, exclusive of and without regard to the buildings or improvements thereon, and "value" shall mean the market value. Notwithstanding that entry is deferred, the corporation or the owner may proceed at once after the passing of the by-law to have determined the compensation, if any, payable for any land taken:
- (i) The value of the land shall be fixed as of the date of the registration of the draft plan (or if no plan is registered, as of the date of the passing of the by-law);
- (ii) Where a part only of the owner's parcel is taken, the compensation shall be limited to the amount, if any, by which the value of the whole parcel exceeds the value of the remainder of the land considered as fronting on the altered street; and in all cases full account shall be taken of the worth

Compensation, when payable and how estimated.

Fixing compensation for land apart from buildings.

of every advantage which the owner will derive from the work;

- (iii) The compensation shall be determined by a board of three arbitrators, one to be appointed by the judge and one by the municipal board, and the third to be chosen by the two so appointed;
- (iv) The board of arbitrators may determine the compensation in a summary manner upon seven days' notice in writing duly served, and after hearing what is alleged by the parties and without hearing any other evidence, unless it decides to do so, it may forthwith make its award, and the award so made shall be final and shall not be subject to appeal;
- (v) The board of arbitrators in its discretion may require the claims for all the lands taken under the by-law to be brought before it at one hearing, or it may divide the claims into groups and hold a separate hearing for each group.

Fixing compensation
for
buildings.

- (b) Compensation shall be allowed in respect of buildings and improvements as they may exist at the date fixed for entry; and such compensation as well as damages in respect of any land injuriously affected by the work shall be ascertained in accordance with the provisions of Part XVI of this Act:

- (i) But in respect of buildings or improvements erected or made after the date of the registration of the draft plan of the work (or, if no plan is registered, after the date of the passing of the by-law), the compensation or damages shall be allowed and payable to the extent only of three-quarters of the proper cost of a structure one storey in height of such temporary character, conformable to the existing building by-laws and regulations, as may be reasonable in view of the limited time which is to elapse before entry;

- (ii) Provided that any owner who proposes to erect a building or make improvements on his land taken for the purposes of the work may on notice to the corporation apply for relief to the municipal board, and if the board is satisfied that special circumstances exist in the matter of the location and area of the land or otherwise which makes it inequitable and unjust that the compensation to be allowed for such building or improvements should be limited as provided in the preceding subclause, it may so find and may make an order approving of plans and specifications for such buildings or improvements and fixing the basis on which, in its judgment, in view of all the circumstances, the compensation should be allowed in respect thereof and compensation shall be made accordingly.

No. 146.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	1st March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. PRICE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) Section 398 of *The Municipal Act* is amended by inserting the following as paragraph 28*b*:—

Rev. Stat.,
c. 192, s. 398,
amended.

28*b*. For the establishment of air harbours or landing grounds in compliance with the “Air Regulations, 1920,” as issued by the Air Board of the Dominion of Canada, and such other regulations as may be issued from time to time by the said Air Board, and for granting aid for aeronautical research work and for the development and general advancement of the science of aeronautics and the use of air craft:

Establish-
ment of air
harbours
and landing
grounds.

(*a*) The municipal corporation may borrow money for any of the said purposes by the issue of debentures payable in not more than twenty years from the date of issue, and may levy a special rate in each year on all the rateable property in the municipality sufficient to pay the instalments of principal and interest falling due in respect of the debentures, or to pay the interest and provide for a sinking fund to retire the debentures at their maturity;

(*b*) It shall not be necessary to obtain the assent of the electors to any by-law passed under the authority of this paragraph, or to observe any of the formalities in relation thereto prescribed by this Act in respect of other money by-laws.

(2) This section shall come into force and take effect on the day upon which it receives the Royal Assent.

No. 147.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading.	1st March, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. Ross,
(Kingston).

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding the following as section 331a: Rev. Stat.,
c. 192,
amended.

- 331a.—(1) Where proof is given to the satisfaction of the council of a local municipality that the property of any person has been injured, destroyed or stolen by a number of persons riotously and tumultuously assembled together, the council may pass a by-law to provide for the payment of such compensation to such person as it may deem proper; Power of council to grant compensation to persons whose property has been injured, etc., by riotous persons.
- (2) Every claim for compensation shall be made in writing, with particulars of the claim and filed in the office of the clerk of the municipality within two months after the property was so injured, destroyed or stolen or within one month after the date when this section comes into force, and if not so made the claim for compensation shall not be considered; Claim to be in writing and filed with clerk of municipality within specified time.
- (3) Notice of the claim and of the time and place when it will be taken into consideration by the council shall be published in three separate issues of a local newspaper, the first publication of the notice being at least ten days before the time appointed for the consideration of the claim; Publication of notice of consideration of claim by council in local newspaper.
- (4) This section shall apply to any claim for compensation with respect to property so injured, destroyed or stolen after the 1st day of January, 1917, and shall come into force on the day on which it receives the Royal Assent. Date when section comes into force; retroactive effect to Jan. 1, 1917.

No. 148.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	1st March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. CURRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 45a of *The Assessment Act*, as enacted by 8 Geo. V, cap. 20, sec. 39, and amended by 9 Geo. V, cap. 50, sec. 13, is further amended by adding the following as subsection 4:—

Rev. Stat.
c. 195, s. 45a
(8 Geo. v.
c. 20, s. 39,
as amended
by 9 Geo. v.
c. 50, s. 13)
amended.

- (4) All land assessed in any year, as provided by subsections 1 and 2 of this section, shall be entered upon the assessment roll as land belonging to supporters of public schools, but notwithstanding such assessment, the council of the corporation within which such land is situate may provide by by-law, that the collector of taxes shall distribute and pay over the amount levied and collected in respect of such land for school purposes to the public school board of such municipality, and to the board of trustees of the Roman Catholic separate schools of such municipality in the same proportions as the total assessment of the taxable property of the supporters of public schools in such municipality bears to the total assessment of the taxable property of the supporters of Roman Catholic separate schools, and the same shall thereupon be distributed and apportioned accordingly. Every such by-law shall continue in force from year to year until repealed.

Apportion-
ment of
taxes
between
public and
separate
school
boards.

No. 149.

2nd Session, 15th Legislature,
11 George V. 1921.

BILL.

An Act to amend 'The Assessment Act.

1st Reading,	2nd March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. PINARD.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 7 of section 5 of *The Assessment Act* is amended by adding thereto the following clause:—

Rev. Stat.,
c. 195, s. 5,
par. 7,
amended.

- (a) Notwithstanding anything in this paragraph or any provision of this or any other Act, where land is acquired by the corporation of a municipality in any other municipality, or by the corporation of a county in any municipality in the county, for a reformatory or gaol, or for an industrial farm or other like institution, the land comprising or forming part of or attached to the institution shall not be exempt from taxation but shall be assessed in the same manner as other lands in the municipality, but the buildings, plant, machinery and other erections upon such land shall be exempt from taxation for municipal purposes.

Lands
acquired
for gaol,
industrial
farm, etc.

No. 151.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Assessment Act.

1st Reading,	4th March, 1921.
2nd Reading	1921.
3rd Reading.	1921.

Mr. HENRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Highway Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Highway Improvement Act* is amended by adding ^{R. S. O. c. 40,} thereto the following section:—^{amended.}

13a.—(1) Where a county includes an island which constitutes a separate township municipality and is part of the county for municipal purposes but is not included in any by-law passed under *The Highway Improvement Act* for the establishment of a county road system, the council of the township may by resolution passed on a second Monday in January in any year, request the council of the county to provide by by-law for levying on all rateable property in the township a special rate not exceeding 5 mills on the dollar of the equalized assessment of the township and for the application of the proceeds of such rate in the construction and improvement of roads in the township municipality.

(2) Every such by-law shall be subject to approval by the Department of Highways and shall be subject in all other respects to the provisions respecting by-laws of county councils for the construction and improvement of highways under *The Highway Improvement Act* as far as the same are applicable.

(3) All works undertaken under this section shall be subject to the provisions of *The Highway Improvement Act*.

Amount
payable to
county out
of appro-
priation.

- (4) Upon compliance with the provisions of *The Highway Improvement Act* applicable to roads constructed or improved under this section, the Minister may direct the payment to the corporation of the county, out of the Highway Improvement Fund, of a sum equal to forty per cent. of the amount of the expenditure on any road constructed or improved under this section which is a county road, and not exceeding sixty per cent. of such expenditure upon any road so constructed or improved which is a county provincial road.

No. 152.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Highway Improvement Act.

1st Reading, 7th March, 1921.
2nd Reading 1921.
3rd Reading 1921.

Mr. RANKIN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Schools Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 55 of *The Public Schools Act*, 1920, c. 100, 1920, is amended by striking out the words “ten o’clock in the forenoon” in the fourth line and inserting in lieu thereof the words “one o’clock in the afternoon,” and by inserting after the word “of” in the fifth line the words “ten o’clock in the forenoon or” so that the subsection will now read:—

55.—(1) A meeting of the electors of every section for the purpose (among other things) of elect-^{Annual meeting, when held.}ing trustees shall be held annually on the last Wednesday in December, commencing at the hour of one o’clock in the afternoon, or if the board by resolution so directs at the hour of ten o’clock in the forenoon or eight o’clock in the afternoon, at such place as the board shall by resolution determine, or in the absence of such resolution, at the school house of the section.

No. 153.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Schools Act.
1920

1st Reading,	7th March, 1921.
2nd Reading	1921.
3rd Reading,	1921.

Mr. FREEBORN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty

BILL

An Act to amend The Stationary and Hoisting Engineers Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Stationary and Hoisting Engineers Amendment Act, 1921.*

2.—(1) Clause *a* of section 2 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the figures “34” in line two thereof, and substituting therefor “34½.” 1919, c. 37,
s. 2 (a),
amended.

(2) Clause *c* of section 2 is amended by adding at the end thereof the words “or for portable or industrial work.” 1919, c. 37,
s. 2 (c),
amended.

(3) Clause *e* of section 2 of *The Stationary and Hoisting Engineers Act, 1919*, is repealed and the following substituted therefor:— 1919, c. 37,
s. 2 (e),
repealed.

“Steam plant” shall mean and include a steam boiler or boilers, steam engine or engines, steam pump or pumps, or any combination of engines, boilers and pumps, and every part thereof and thing connected therewith or used with reference to any such boilers, engines or pumps, in one building or in two or more buildings, if said buildings are not separated by a distance of more than three hundred feet and under the one management. Steam
Plant.

(4) Section 2 of *The Stationary and Hoisting Engineers Act, 1919*, is further amended by adding thereto the following clauses:— 1919, c. 37,
s. 2,
amended.

(f) “G.P.H.P.” shall mean gas plant horse power, defined as the brake horse power rating of the motive driving the compressor or compressors; “G.P.H.P.”

"Gas
Plant."

(g) "Gas plant" shall mean and include air, ammonia, carbon dioxide and sulphur dioxide compressor or compressors, driven by power other than steam, and every part thereof and things connected therewith and used with reference to any such compressor or compressors;

(h) Wherever in this Act "steam plant" is mentioned, the words "gas plant" shall be inserted immediately thereafter, and where the letters "B.H.P." appear, "G.P.H.P." shall be inserted immediately thereafter.

1919, c. 37,
s. 3,
amended.

3. Section 3 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word "any," in line one, the word "stationary," by striking out the word "fifty" in line two and substituting therefor the word "twenty-five"; by striking out the words "at a pressure of twenty pounds or under" in lines three and four and substituting therefor the words "with the safety valve set to relieve the pressure at ten pounds or under"; by inserting after the word "engine," in line four, the words "used on chartered railroads or electric locomotive"; and by striking out the words "or quarry" in line six.

1919, c. 37,
s. 5 (a),
amended.

4. Clause *a* of section 5 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the words "and the recording of changes made in an engineer's position," in lines six and seven thereof.

1919, c. 37,
s. 6,
amended.

5. Section 6 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by adding thereto "and has declared his intention to become a Canadian citizen and has made application to the proper authorities for naturalization papers."

1919, c. 37,
s. 7 (3),
amended.

6.—(a) Subsection 3 of section 7 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the words "unless by special permission of the board" in line six thereof.

1919, c. 37,
s. 7 (4),
amended.

(b) Subsection 4 of the said section 7 is amended by striking out after the word "application" in line three thereof the words "of the B.H.P. and steam pressure of their plants" and substituting therefor the words "of the horse-power of the plant and pressure at which safety valves on boilers and tanks are set to relieve said pressure."

1919, c. 37,
s. 7 (5),
repealed.

(c) Subsection 5 of the said section 7 is repealed,

7. Section 8 of *The Stationary and Hoisting Engineers Act, 1919*, is repealed and the following substituted therefor:— 1919, c. 37, s. 8, repealed.

“The duties of an engineer may be performed for a period not exceeding fourteen days by any person, providing the engineer, for reasons other than dismissal, absents himself from his post without having given seven days’ notice; provided that at the end of such period an engineer with the proper qualifications must be employed.” In absence of engineer, who may operate.

8. Section 9 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word “certificate,” in line two thereof, the words “of corresponding horse-power.” 1919, c. 37, s. 9, amended.

9. Section 10 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word “engine,” in line two, the word “compressor”; by inserting after the word “employed,” in line three, the words “except in the case of a hoisting plant when the operator must carry same on his person”; by inserting after the word “the,” in line three, the word “plant”; and by inserting after the word “engine,” in line four, the word “compressor.” 1919, c. 37, s. 10, amended.

10. Clause *e* of section 13 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the word “boilers” and substituting therefor the word “plants.” 1919, c. 37, s. 13 (e), amended.

11.—(a) Subsection (b) of section 14 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word “board,” in line two, the words “or inspector.” 1919, c. 37, s. 14 (b), amended.

(b) The said section 14 is further amended by adding thereto the following subsection:— 1919, c. 37, s. 14, amended.

(c) Any person impersonating another and presenting himself for examination under a false name in order to obtain a certificate for a person other than himself shall incur a penalty of not less than \$200. Penalty for impersonation.

12.—(1) Clause *a* of section 15 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word “thereof,” in line two, the words “or as fireman” 1919, c. 37, s. 15 (a), amended.

or oiler at a stationary, steam or gas plant under an engineer," and by inserting after the word "charge," in line five thereof, the words "or as fireman or oiler at a stationary steam or gas plant."

1919, c. 37,
s. 15 (b),
amended.

(2) Clause *b* of the said section 15 is amended by striking out the words "not less than \$10 nor more than \$25" in the second and third lines thereof and substituting therefor the words "not less than \$25."

1919, c. 37,
s. 17,
amended.

13. Section 17 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by adding thereto "and all fees collected shall be remitted to the chairman of the Board of Stationary and Hoisting Engineers, cheques being made payable to the Provincial Treasurer of Ontario."

No. 154.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Stationary and
Hoisting Engineers Act.

1st Reading,	8th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. CROCKETT.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Dog Tax and Sheep Protection Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Dog Tax and Sheep Protection Amendment Act, 1921.* Short title.

2. Subsection 4 of section 9a of *The Dog Tax and Sheep Protection Act*, as enacted by section 2 of *The Dog Tax and Sheep Protection Amendment Act, 1920*, is amended by adding at the end thereof the following words:—“Provided that the tag of a dog may be removed temporarily while such dog is being used for hunting purposes in the bush.” Rev. Stat. c. 246, s. 9a (as enacted by 1920, c. 92, s. 2), amended. Proviso.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 155.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Dog Tax and Sheep
Protection Act.

1st Reading.	8th March, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. BLACK.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 25 of *The Local Improvement Act* is amended Rev. Stat. c. 193, s. 25, amended. by adding at the beginning thereof the following words:—
 “Subject to the provisions of subsection 2,” and by adding at the end the following as subsection 2:—

- (2) Where the work undertaken is a sidewalk in a Apportionment of cost of sidewalks in townships. township and where no sidewalk has been constructed as a local improvement on the other side of the street, two-thirds of the owners' portion of the cost shall be specially assessed upon the land abutting on that side of the street upon which the work is constructed and one-third on the land abutting on the other side of the street and lying directly opposite such sidewalk throughout its length, and if a sidewalk is thereafter constructed on the other side of the street the owners' portion of the cost shall be specially assessed in like manner.

No. 156.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Local Improvement Act.

1st Reading,	8th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SWAYZE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to provide for the Separation of Farm Lands from Towns and Villages.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding thereto the following as section 21a:—

Rev. Stat.
c. 192,
amended.

21a.—(1) Upon the application of the council of any town or village or of such number of the owners of any lands therein wholly used for farming purposes as shall represent at least one-half of the amount of the assessed value of all the lands proposed to be detached from such town or village the Municipal Board may, after hearing representatives of the town or village, and of the owners of such farm lands, and of the adjoining municipality to which it is proposed to annex the lands, make an order detaching such farming lands or any part thereof from the town or village and annexing the same to an adjoining municipality on such terms and conditions as to the adjustment of the assets and liabilities, and upon such other terms and conditions as may have been agreed upon between the municipalities interested, or in default of agreement as may be determined by the Board.

Authority of
Municipal
Board to
separate
farm lands
from towns
and villages.

(2) If the interest of the land detached in the assets of the town or village from which they are detached exceeds its proportion of the liabilities thereof, that corporation shall pay to the corporation of the municipality to which the lands are annexed the amount of the excess, but if the land's proportion of such liabilities exceeds its interest in such assets the corporation of the municipality to which the lands are annexed shall pay to the corporation of the town or village from which the lands are detached the amount of the excess, and the order of the Board shall set out the amount to be paid by one municipality to the other accordingly.

Adjustment
of assets
and liabilities
to be
determined
by the
Board.

No. 157.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to provide for the Separation of
Farm Lands from Towns and Villages.

1st Reading, 8th March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. BRAGG.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Loan and Trust Corporations Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Loan and Trust Corporations Act, 1921*. Short title.

2. Section 17 of *The Loan and Trust Corporations Act*, Rev. Stat.,
c. 184, s. 17;
as amended by *The Loan and Trust Corporations Act, 1919*, 1919, c. 42,
s. 6,
is repealed and the following substituted therefor:— repealed.

17.—(1) A trust company incorporated under the laws of Ontario shall not have power to borrow money by issuing debentures or debenture stock, but where money is received by the company for the purpose of its being invested by the company, the guarantee by the company of the payment of the same or of the payment of the interest thereon at such rate as may be agreed upon on fixed days shall not be deemed to be a debenture nor shall the money be deemed to be money borrowed by the company by issuing debentures but to be money received in trust. Trust companies not to borrow on debentures, etc.
Guarantee receipts not to be deemed debentures.

(2) A trust company incorporated under the law of Ontario shall not have power to take deposits by way of borrowing money and all deposits received by such a trust company shall be subject to the provisions hereinafter contained. Trust companies not to borrow by accepting deposits.

3. *The Loan and Trust Corporations Act* is amended by adding the following section thereto:— Rev. Stat.,
c. 184,
amended.

17a.—(1) All moneys received by a trust company for guaranteed investment as set out in subsection 1 Investment of funds received on guarantee receipts or as deposits.

Rev. Stat.,
c. 121.

of section 17, and as deposits as set out in subsection 2 of section 17 and subsection 3 of section 18 shall be invested in or loaned upon such securities only as are authorized by *The Trustee Act*.

Securities
allocated to
guaranteed
investments,

- (2) Where it is provided by the agreement under which moneys are received by the company for guaranteed investments as mentioned in subsection 1 of section 17 that specific securities shall be allocated in respect thereof, such securities shall be ear-marked and definitely set aside in respect thereof, and in respect of all other moneys received for guaranteed investments as mentioned in subsection 1 of section 17 there shall be ear-marked and definitely set aside in respect thereof securities including loans made upon securities or cash including moneys on deposit with any chartered bank of Canada, and securities including loans made upon securities equal to the full aggregate amount thereof.

Quarterly
returns
as to
guaranteed
investments.

- (3) A sworn return shall be made to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing all such securities, loans upon securities and cash, if any, as the same stood at the end of the last preceding month and stating that the same have been ear-marked and definitely set aside in respect of moneys received by the company for guaranteed investment as set out in subsection 1 of section 17.

Rev. Stat.,
c. 184, s. 18,
subs. 2,
repealed.

4. Subsection 2 of section 18 of *The Loan and Trust Corporations Act* is repealed and the following subsections substituted therefor:—

Investment
of funds
other than
trust funds.

- (2) A trust company may invest or loan any money held by it other than trust money in or upon any of the securities authorized by section 27 of this Act or *The Trustee Act*, and may loan any trust money held by it upon any securities authorized by *The Trustee Act*.

Rev. Stat.,
c. 121.

Deposits—
power to
receive.

- (2a) A trust company incorporated under the law of Ontario may receive deposits of money repayable upon demand or after notice and bearing interest at such rate as may be agreed between the

company and depositor and the company shall be entitled to retain the interest and profit resulting from the investment or loaning of said deposit moneys in excess of the amount of interest payable to depositors.

- (2b) Every trust company receiving deposits in the manner authorized by the next preceding subsection shall be deemed to hold the same as trustee for the depositors and to guarantee repayments thereof and there shall be ear-marked and definitely set aside in respect thereof securities, including loans made upon securities or cash, including money on deposit with any chartered bank of Canada, and securities including loans made upon securities, equal to the full aggregate amount thereof. ^{To be deemed trust moneys and to be guaranteed.}
- (2c) Every trust company receiving deposits in the manner authorized by subsection 2a shall make a sworn return to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar showing the amount of such deposits and showing all securities and cash ear-marked and definitely set aside as provided in subsection 2b and stating that the same were at the date mentioned in such return so ear-marked and definitely set aside and showing the amount of cash on hand and on deposit with any chartered bank of Canada and the amount of debentures, bonds, stock or other securities of or guaranteed by the Dominion of Canada and of or guaranteed by any province of Canada, less any incumbrances thereon and the amount of bonds, debentures and other securities of any municipal corporation in Ontario, less any incumbrances thereon, and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the Government, Government guaranteed or municipal securities, hereinbefore in this subsection mentioned as the said amounts stood at the end of the last preceding month and stating that the same were at the date mentioned in such return, on hand and available for depositors. ^{Quarterly return as to deposits.}

Special
register
of deposits.

- (2d) Every trust company receiving moneys on deposit under the provisions of this section shall keep a special register in the form approved by the registrar, in which shall be entered all sums so received and the names and addresses of the persons from whom received.

Rev. Stat.,
c. 184, s. 20,
subs. 1,
amended.

5. Subsection 1 of section 20 of *The Loan and Trust Corporations Act* is amended by striking out the words "shall be approved" at the end of the said subsection and inserting in lieu thereof the words "except in the manner authorized by this Act shall be approved," so that the subsection will read as follows:—

Approval of
company as
executor, etc.

- (1) Where a trust company is authorized to execute the office of executor, administrator, trustee, receiver, liquidator, assignee, guardian or committee, and the Lieutenant-Governor in Council approves of such company being accepted as a trust company for the purposes of the Supreme Court, every court or judge having authority to appoint such an officer may, with the consent of the company, appoint such company to exercise any of such offices in respect of any estate or person under the authority of such court or judge, or may grant to such company probate of any will in which such company is named as an executor; but no company which has issued or has authority to issue debentures or debenture stock or which has received or has authority to receive deposits except in the manner authorized by this Act shall be approved.

1919, c. 42,
s. 10,
amended.

6.—(1) Subsection 1 of section 30a of *The Loan and Trust Corporations Act*, as enacted by section 10 of *The Loan and Trust Corporations Act, 1919*, is amended by striking out all the words after the word "amount" in the fifth line thereof and substituting therefor the words "at which the investment is carried on the books of the corporation to exceed twenty-five per cent. of the paid-up capital and reserve funds of the corporation," so that the subsection will read as follows:—

Limit of
amount
invested in
buildings of
company.

- (1) Except as hereinafter provided, a corporation shall not make or undertake any investment or expenditure after the passing of this Act, under section 29 or section 30 which will cause the total amount at which the investment is carried

on the books of the corporation to exceed twenty-five per cent. of the paid-up capital and reserve funds of the corporation.

- (2) Subsection 2 of the said section 30a is repealed.

1919, c. 42,
s. 10,
amended.

7. Subsection 4 of section 40 of *The Loan and Trust Corporations Act* is amended by inserting after the word "exceed" in the third line thereof the words "an amount equal to twice," and by striking out the words "and of" in the fifth line thereof and substituting therefor the words "plus the amount of," so that the subsection will read as follows:—

Rev. Stat.,
c. 184, s. 40,
ex-subs. 4,
amended.

- (4) The amount to be received by any corporation entitled as hereinbefore provided to receive deposits shall not at any time exceed an amount equal to twice the aggregate amount of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the corporation plus the amount of its cash actually in hand or in any chartered bank to the credit of the corporation and beneficially owned by the corporation and not included in either the permanent capital or reserve fund.

Limitation
as to
deposits.

8. *The Loan and Trust Corporations Act* is amended by inserting the following section:—

Rev. Stat.,
c. 184,
amended.

- 40a. Every loan company receiving deposits shall make a sworn return to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing the amount of such deposits and showing the amount of cash on hand and on deposit with any chartered bank of Canada and the amount of debentures, bonds, stock or other securities of or guaranteed by the Dominion of Canada, and of or guaranteed by any province of Canada less any incumbrances thereon and the amount of bonds, debentures and other securities of any municipal corporation in Ontario, less any incumbrances thereon and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the securities hereinbefore in this section mentioned as the said amounts stood at the end of the last

Quarterly
return by
loan com-
pany as to
deposits.

preceding month and stating that the same were at the date mentioned in such return on hand and available for depositors.

Rev. Stat.,
c. 184, s. 41,
subs. 2,
repealed.

9.—(1) Subsection 2 of section 41 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:—

Limit of
borrowing
powers of
loan cor-
porations.

(2) The total amount borrowed by a corporation on debentures and other securities and by way of deposits shall not exceed four times the aggregate amount of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the corporation, plus the amount of its cash actually on hand or in any chartered bank of Canada, to the credit of the corporation and beneficially owned by the corporation and not included in either the permanent capital or reserve fund.

Rev. Stat.,
c. 184, s. 41,
subs. 4,
repealed.

(2) Subsection 4 of the said section 41 is repealed.

Rev. Stat.,
c. 184,
amended.

10. *The Loan and Trust Corporations Act* is amended by adding thereto the following as section 63a and section 63b:—

Power of
attorney by
company.

63a. A corporation incorporated under the law of Ontario may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute on its behalf, deeds to which it is a party in any capacity in any place situate within or without the Province of Ontario; and every deed signed by such attorney, on behalf of the corporation and under his seal, shall bind the corporation and have the same effect as if it were under the common seal of the corporation.

Power for
company to
have official
seal for use
abroad.

63b.—(1) A corporation incorporated under the law of Ontario may have for use in any territory, district or place not situate in the Province of Ontario an official seal, which shall be a facsimile of the common seal of the corporation, with the addition on its face of the name of every territory, district or place where it is to be used.

Authority
to agent to
affix seal.

(2) A corporation having such an official seal may, by writing under its common seal, authorize any

person appointed for the purpose in any territory, district or place not situate in the Province of Ontario, to affix the same to any deed or other document to which the company is party in any capacity in that territory, district or place.

- (3) The authority of any such agent shall, as between the corporation and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is therein mentioned, then until notice of the revocation or determination of the agent's authority has been given to the person dealing with him. Duration of agent's authority to bind company.
- (4) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same. Certifying date and period of sealing.
- (5) A deed or other document to which an official seal is duly affixed shall bind the corporation as if it had been sealed with the common seal of the corporation. Official seal to have same effect as common seal.

11. *The Loan and Trust Corporations Act* is amended by adding thereto the following sections:— Rev. Stat., c. 184, amended.

139a.—(1) The registrar shall visit personally, or cause a duly qualified member of his staff to visit, at least once in each year the head office of each corporation registered under this Act, and examine carefully the statements of the condition and affairs of each such corporation and report thereon to the Minister as to all matters requiring his attention and decision. Inspection of registered corporations.

- (2) For the purpose of such examination, the corporation shall prepare and submit to the registrar such statement or statements with respect to its business finances or other affairs of the corporation, in addition to the statement mentioned in any of the sections or subsections of this Act, as the registrar may require, and the officers, agents and servants of the corporation shall cause their books to be open for inspection and shall otherwise facilitate such examination so far as it is in their power. Material to be furnished on inspection.

Examination
under oath.

- (3) The registrar may examine under oath the officers, agents or servants of the corporation for the purpose of obtaining any information which he deems necessary for the purpose of such examination.

Special re-
port where
condition
unsound.

- 139b.—(1) If as the result of the examination as aforesaid of any corporation registered under this Act, the registrar believes that the assets of the corporation are insufficient to justify its continuance in business, he shall make a special report to the Minister on the condition of such corporation.

Suspension
or cancella-
tion of
registry.

- (2) If the Minister, after a reasonable time has been given to the corporation to be heard by him and upon such further inquiry and investigation as he may see fit to make, agrees with the opinion of the registrar, the Minister may suspend or cancel the registration of the corporation and the corporation shall thereupon, unless and until again registered, cease to transact or undertake business in Ontario, except so far as necessary for the winding up of its business; but any liability incurred by such corporation may be enforced against it as if such suspension or cancellation had not taken place.

No. 158.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Loan and Trust
Corporations Act.

1st Reading, 9th March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Loan and Trust Corporations Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Loan and Trust Corporations Act, 1921*. Short title.

2. Section 17 of *The Loan and Trust Corporations Act*, as amended by *The Loan and Trust Corporations Act, 1919*, is repealed and the following substituted therefor:— Rev. Stat., c. 184, s. 17; 1919, c. 42, s. 6, repealed.

17.—(1) A trust company incorporated under the laws of Ontario shall not have power to borrow money by issuing debentures or debenture stock, but where money is received by the company for the purpose of its being invested by the company, the guarantee by the company of the repayment of the same or of the payment of the interest thereon at such rate as may be agreed upon on fixed days shall not be deemed to be a debenture nor shall the money be deemed to be money borrowed by the company by issuing debentures but to be money received in trust. Trust companies not to borrow on debentures, etc. Guarantee receipts not to be deemed debentures.

(2) A trust company incorporated under the law of Ontario shall not have power to take deposits by way of borrowing money and all deposits received by such a trust company shall be subject to the provisions hereinafter contained. Trust companies not to borrow by accepting deposits.

3. *The Loan and Trust Corporations Act* is amended by adding the following section thereto:— Rev. Stat., c. 184, amended.

17a.—(1) All moneys received by a trust company for guaranteed investment as set out in subsection 1 Investment of funds received on guarantee receipts or as deposits.

of section 17, and as deposits as set out in subsection 2 of section 17 and subsection 2a of section 18 shall be invested in or loaned upon such securities only as are authorized by *The Trustee Act*.

Rev. Stat.,
c. 121.

Securities
allocated to
guaranteed
investments,

- (2) Where it is provided by the agreement under which moneys are received by the company for guaranteed investments as mentioned in subsection 1 of section 17 that specific securities shall be allocated in respect thereof, such securities shall be ear-marked and definitely set aside in respect thereof, and in respect of all other moneys received for guaranteed investments as mentioned in subsection 1 of section 17 there shall be ear-marked and definitely set aside in respect thereof securities including loans made upon securities or cash including moneys on deposit with any chartered bank of Canada, and securities including loans made upon securities equal to the full aggregate amount thereof.

Quarterly
returns
as to
guaranteed
investments.

- (3) A sworn return shall be made to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing all such securities, loans upon securities and cash, if any, as the same stood at the end of the last preceding month and stating that the same have been ear-marked and definitely set aside in respect of moneys received by the company for guaranteed investment as set out in subsection 1 of section 17.

Rev. Stat.,
c. 184, s. 18,
subs. 2,
repealed.


4. Subsection 2 of section 18 of *The Loan and Trust Corporations Act* is repealed and the following subsections substituted therefor:—

Investment
of funds
other than
trust funds.

- (2) A trust company may invest or loan any money held by it other than trust money in or upon any of the securities authorized by section 27 of this Act or *The Trustee Act*, and may loan any trust money held by it upon any securities authorized by *The Trustee Act*.


Rev. Stat.,
c. 121.

Deposits—
power to
receive.

 (2a)—(a) A trust company incorporated under the law of Ontario may; and

- (b) Any other trust company registered under this Act which has capacity to do so under its Act

or other instrument of incorporation, may within Ontario and subject to complying with section 17a,

receive deposits of money repayable upon demand or after notice and bearing interest at such rate as may be agreed upon between the company and depositor and the company shall be entitled to retain the interest and profit resulting from the investment or loaning of said deposit moneys in excess of the amount of interest payable to depositors. 

(2b) Every trust company receiving deposits in the manner authorized by the next preceding sub-section shall be deemed to hold the same as ^{To be deemed trust moneys and to be guaranteed.} trustee for the depositors and to guarantee repayments thereof and there shall be ear-marked and definitely set aside in respect thereof securities, including loans made upon securities or cash, including money on deposit with any chartered bank of Canada, and securities including loans made upon securities, equal to the full aggregate amount thereof.

(2c) Every trust company receiving deposits in the manner authorized by subsection 2a shall make ^{Quarterly return as to deposits.} a sworn return to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar showing the amount of such deposits and showing all securities and cash ear-marked and definitely set aside as provided in subsection 2b and stating that the same were at the date mentioned in such return so ear-marked and definitely set aside and showing the amount of cash on hand and on deposit with any chartered bank of Canada and the amount of debentures, bonds, stock or other securities of or guaranteed by the Dominion of Canada and of or guaranteed by any province of Canada, less any incumbrances thereon and the amount of bonds, debentures and other securities of any municipal corporation in Ontario, less any incumbrances thereon, and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the Government, Government guaran-

teed or municipal securities, hereinbefore in this subsection mentioned as the said amounts stood at the end of the last preceding month and stating that the same were at the date mentioned in such return, on hand and available for depositors.

Special
register
of deposits.

- (2d) Every trust company receiving moneys on deposit under the provisions of this section shall keep a special register in the form approved by the registrar, in which shall be entered all sums so received and the names and addresses of the persons from whom received.


Rev. Stat.,
c. 184, s. 20,
subs. 1,
amended.

5. Subsection 1 of section 20 of *The Loan and Trust Corporations Act* is amended by striking out the words "shall be approved" at the end of the said subsection and inserting in lieu thereof the words "except in the manner authorized by this Act shall be approved," so that the subsection will read as follows:—

Approval of
company as
executor, etc.

- (1) Where a trust company is authorized to execute the office of executor, administrator, trustee, receiver, liquidator, assignee, guardian or committee, and the Lieutenant-Governor in Council approves of such company being accepted as a trust company for the purposes of the Supreme Court, every court or judge having authority to appoint such an officer may, with the consent of the company, appoint such company to exercise any of such offices in respect of any estate or person under the authority of such court or judge, or may grant to such company probate of any will in which such company is named as an executor; but no company which has issued or has authority to issue debentures or debenture stock or which has received or has authority to receive deposits except in the manner authorized by this Act shall be approved.

1919, c. 42,
s. 10,
amended.

 6.—(1) Subsection 1 of section 30a of *The Loan and Trust Corporations Act*, as enacted by section 10 of *The Loan and Trust Corporations Act, 1919*, is amended by striking out the word "corporation" in the first line and substituting therefor the words "loan corporation incorporated under the law of Ontario," and by striking out the words "so invested or expended under either of said sections" in the fifth and sixth lines thereof and substituting therefor the words "at which the investment is carried

on the books of the corporation" so that the section as amended shall read as follows:—


- (1) Except as hereinafter provided a loan corporation incorporated under the law of Ontario shall not make or undertake any investment or expenditure after the passing of this Act under section 29 or section 30 which will cause the total amount at which the investment is carried on the books of the corporation to exceed fifteen per cent. of the paid-up capital and reserve funds of the corporations. Limit of amount invested in buildings of company.

(2) Subsection 2 of said section 30a is amended by striking out the word "corporation" wherever the same appears in said subsection and substituting in lieu thereof the words "loan corporation," and by inserting the word "such" after the word "where" in the 1st line of said subsection, and by striking out the words "invested and expended by such corporation under either of the said sections 29 or 30" in the ninth, tenth and eleventh lines of said subsection and substituting therefor the words, "at which the investment is carried on the books of the loan corporation," so that the section as amended shall read as follows:— 1919, c. 42, s. 10, amended.

Where such a loan corporation has already *bona fide* acquired land for the purpose of making additions, alterations or improvements to offices or buildings already owned by them or the erection of new buildings thereon, the loan corporation may, with the approval of the Lieutenant-Governor in Council make or undertake investments or expenditures for such purposes exceeding the amount provided for in subsection 1, but the total amount at which the investment is carried on the books of the loan corporation shall not, in any event, exceed 25 per cent. of the paid-up capital and reserve funds of the loan corporation.

- (3) The said section 30a is amended by adding the following subsection: —

- (3) A trust company incorporated under the laws of Ontario shall not make or undertake any investment or expenditure after the passing of this Act under section 29 or section 30 which will cause the total amount at which the investment is carried on the books of the company to

exceed 25 per cent. of the paid-up capital and reserve funds of the company. 

Rev. Stat.,
c. 184, s. 40,
subs. 4,
amended.

7. Subsection 4 of section 40 of *The Loan and Trust Corporations Act* is amended by inserting after the word "exceed" in the third line thereof the words "an amount equal to twice," and by striking out the words "and of" in the fifth line thereof and substituting therefor the words "plus the amount of," so that the subsection will read as follows:—

Limitation
as to
deposits.

(4) The amount to be received by any corporation entitled as hereinbefore provided to receive deposits shall not at any time exceed an amount equal to twice the aggregate amount of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the corporation plus the amount of its cash actually in hand or in any chartered bank to the credit of the corporation and beneficially owned by the corporation and not included in either the permanent capital or reserve fund.

Rev. Stat.,
c. 184,
amended.

8. *The Loan and Trust Corporations Act* is amended by inserting the following section:—

Quarterly
return by
loan com-
pany as to
deposits.

40a. Every loan company receiving deposits shall make a sworn return to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing the amount of such deposits and showing the amount of cash on hand and on deposit with any chartered bank of Canada and the amount of debentures, bonds, stock or other securities of or guaranteed by the Dominion of Canada, and of or guaranteed by any province of Canada less any incumbrances thereon and the amount of bonds, debentures and other securities of any municipal corporation in Ontario, less any incumbrances thereon and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the securities hereinbefore in this section mentioned as the said amounts stood at the end of the last preceding month and stating that the same were at the date mentioned in such return on hand and available for depositors.

9.—(1) Subsection 2 of section 41 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 184, s. 41,
subs. 2,
repealed.

(2) The total amount borrowed by a corporation on debentures and other securities and by way of deposits shall not exceed four times the aggregate amount of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the corporation, plus the amount of its cash actually on hand or in any chartered bank of Canada, to the credit of the corporation and beneficially owned by the corporation and not included in either the permanent capital or reserve fund.

Limit of
borrowing
powers of
loan cor-
porations.

(2) Subsection 4 of the said section 41 is repealed.

Rev. Stat.,
c. 184, s. 41,
subs. 4,
repealed.

10. *The Loan and Trust Corporations Act* is amended by adding thereto the following as section 63a and section 63b:—

Rev. Stat.,
c. 184,
amended.

63a. A corporation incorporated under the law of Ontario may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute on its behalf, deeds to which it is a party in any capacity in any place situate within or without the Province of Ontario; and every deed signed by such attorney, on behalf of the corporation and under his seal, shall bind the corporation and have the same effect as if it were under the common seal of the corporation.

Power of
attorney by
company.

63b.—(1) A corporation incorporated under the law of Ontario may have for use in any territory, district or place not situate in the Province of Ontario an official seal, which shall be a facsimile of the common seal of the corporation, with the addition on its face of the name of every territory, district or place where it is to be used.

Power for
company to
have official
seal for use
abroad.

(2) A corporation having such an official seal may, by writing under its common seal, authorize any person appointed for the purpose in any territory, district or place not situate in the Province of Ontario, to affix the same to any deed or other document to which the company is party

Authority
to agent to
affix seal.

in any capacity in that territory, district or place.

Duration
of agent's
authority
to bind
company.

- (3) The authority of any such agent shall, as between the corporation and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is therein mentioned, then until notice of the revocation or determination of the agent's authority has been given to the person dealing with him.

Certifying
date and
period of
sealing.

- (4) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same.

Official
seal to
have same
effect as
common
seal.

- (5) A deed or other document to which an official seal is duly affixed shall bind the corporation as if it had been sealed with the common seal of the corporation.

Rev. Stat.,
c. 184,
amended.

11. *The Loan and Trust Corporations Act* is amended by adding thereto the following sections:—

Inspection
of regis-
tered cor-
porations.

- 139a.—(1) The registrar shall visit personally, or cause a duly qualified member of his staff to visit, at least once in each year the head office of each corporation registered under this Act, and examine carefully the statements of the condition and affairs of each such corporation and report thereon to the Minister as to all matters requiring his attention and decision.

Material to
be furnished
on inspec-
tion.

- (2) For the purpose of such examination, the corporation shall prepare and submit to the registrar such statement or statements with respect to its business finances or other affairs of the corporation, in addition to the statement mentioned in any of the sections or subsections of this Act, as the registrar may require, and the officers, agents and servants of the corporation shall cause their books to be open for inspection and shall otherwise facilitate such examination so far as it is in their power.

Examination
under oath.

- (3) The registrar may examine under oath the officers, agents or servants of the corporation for the purpose of obtaining any information which he

deems necessary for the purpose of such examination.

- 1396.—(1) If as the result of the examination as afore-^{Special re-}
 said of any corporation registered under this ^{port where}
 Act, the registrar believes that the assets of ^{condition}
 the corporation are insufficient to justify its ^{unsound.}
 continuance in business, he shall make a special
 report to the Minister on the condition of such
 corporation.
- (2) If the Minister, after a reasonable time has been ^{Suspension}
 given to the corporation to be heard by him and ^{or cancella-}
 upon such further inquiry and investigation as ^{tion of}
 he may see fit to make, agrees with the opinion ^{registry.}
 of the registrar, the Minister may suspend or
 cancel the registration of the corporation and
 the corporation shall thereupon, unless and until
 again registered, cease to transact or undertake
 business in Ontario, except so far as necessary
 for the winding up of its business; but any
 liability incurred by such corporation may be
 enforced against it as if such suspension or
 cancellation had not taken place.

No. 158.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Loan and Trust
Corporations Act.

1st Reading, 9th March, 1921.
2nd Reading, 22nd March, 1921.
3rd Reading, 1921.

*(Reprinted for Committee of the Whole
House.)*

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Police Magistrates Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Where the council of a city having a population of 100,000 or over, by resolution declares that it is desirable that a woman should be appointed to be a police magistrate or deputy police magistrate for such city, the Lieutenant-Governor in Council may appoint a woman to be police magistrate or deputy police magistrate accordingly, and where there are more police magistrates than one for any city, the appointment may be in addition to any police magistrates then in office, or to fill an existing vacancy among the magistrates. Appointment of woman as police magistrate in city of 100,000.
2. Nothing in this Act shall be construed as a declaration that women were at the time of the passing of this Act ineligible for appointment to the office of police magistrate. Law not to be deemed to have been changed.
3. This Act shall come into force upon the day on which it receives the Royal Assent. Commencement of Act.

No. 159.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Police Magistrates
Act.

1st Reading, 9th March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 21 of *The Municipal Act* is amended by adding thereto the following:

Rev. Stat.
c. 192,
s. 21 (1),
(as amended
by 8 Geo. V,
c. 32, s. 1),
amended.

In case there are no municipal electors in such part of the adjacent township, no petition shall be required, but notice of such resolution shall be given by the council of such city or town to the above-mentioned councils and also to the owners, if any, of lands in such part of the adjacent township.

Procedure
where there
are no
municipal
electors in
adjoining
territory.

No. 160.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	11th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. HATCHER.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Parks Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 6 of section 13 of *The Public Parks Act* is amended by adding thereto the following: Rev. Stat. c. 203, s. 13 (6), amended.

Provided that where a by-law has been passed by the electors of the municipality for the issue of debentures for any of the purposes above mentioned, the approval of the Ontario Railway and Municipal Board shall not be required, and the council of such municipality may submit a by-law for the above purposes without obtaining such approval. Approval of Municipal Board to issue of debentures not required.

(2) This amendment shall be read and construed as if it had been enacted at the time said subsection 6 was enacted. Retroactive effect of amendment.

2. Subsection 3 of section 18 of *The Public Parks Act* is amended by adding after the word "year," in the fourth line, the words:—"including the annual amount required to pay interest and instalments on all debentures of the municipality issued for the purchase and improvement of parks or lands for park purposes"; and by adding at the end of said subsection the following:—"The annual amount required to pay the interest and instalments on all debentures of the municipality issued for the purchase and improvements of parks or lands for park purposes, shall be a first lien or charge on the said fund." Rev. Stat. c. 203, s. 18 (3), as amended by 10-11 Geo. V, c. 70, s. 11), amended.

No. 161.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Parks Act.

1st Reading,	11th March,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. HATCHER.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 161.

1921.

BILL

An Act to amend The Public Parks Act.

HIS MAJESTY, by and with the advice and consent of
Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Subsection 6 of section 13 of *The Public Parks Act* is amended by adding thereto the following:

Rev. Stat.
c. 203,
s. 13 (6),
amended.

Provided that where a by-law has been passed by the electors of the municipality for the issue of debentures for any of the purposes above mentioned, the approval of the Ontario Railway and Municipal Board shall not be required, and the council of such municipality may submit a by-law for the above purposes without obtaining such approval.

Approval
of Muni-
cipal Board
to issue of
debentures
not required.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Parks Act.

1st Reading, 11th March, 1921.
2nd Reading, 18th March, 1921.
3rd Reading, - 1921.

*(Reprinted as amended by the Municipal
Committee.)*

Mr. HALCROW.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Lake Huron and Northern
Ontario Railway Company.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Notwithstanding anything contained in the Acts re-^{Time for}
specting The Lake Huron and Northern Ontario Railway ^{completion}
Company, the time for the completion of the railway of the ^{extended.}
company is extended and shall be deemed to have been ex-
tended for a period of one year from the date of the passing
of this Act.

No. 162.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting The Lake Huron and
Northern Ontario Railway Company.

1st Reading,	11th March,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. BOWMAN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 163.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 209 of *The Municipal Act* is amended by adding thereto the following:

Rev. Stat.
c. 192,
s. 209 (2),
amended.

“and with the assent of the municipal electors, not exceeding for each member \$5,000 per annum.”

Salaries of
members
of Board
of Control.

No. 163.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading:	11th March, 1921.
2nd Reading:	1921.
3rd Reading:	1921.

Mr. GRAY.

TORONTO:
PRINTED BY CLARRISON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Line Fences Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

The Line Fences Act is amended by adding the following as section 1a: Rev. Stat.
c. 259,
amended.

- 1a. The provisions of this Act *mutatis mutandis* shall apply to unoccupied land as well as to occupied land in any township in a county if the council of such township passes a by-law declaring that the provisions of this Act shall so apply, and if such a by-law is passed it shall be the duty of the clerk of the township to send forthwith a true copy of it to the Director of the Bureau of Municipal Affairs.

No. 164.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Line Fences Act.

1st Reading,	11th March,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. CAMERON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Minimum Wage Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Minimum Wage Amendment Act, 1921*. Short title.

2. Section 12 of *The Minimum Wage Act* is amended by adding thereto the following subsections:— 1920, c. 87, s. 12, amended.

(2) The board shall have power upon petition of employers or employees, or upon its own motion, to temporarily suspend or vary any of its orders, or to revise them in accordance with special or changed conditions in any industry or establishment. Board may suspend or vary orders.

(3) The board shall have the power to make different orders for the same industry or industries in different localities of the province, when in the judgment of the board different conditions in different localities justify such action. Orders may vary with localities.

3. Section 20 of *The Minimum Wage Act* is amended by striking out the figures "18" in line 2 thereof and substituting therefor the figures "19." 1920, c. 87, s. 20, amended.

No. 165.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Minimum Wage
Act.

1st Reading.	14th March,	1921.
2nd Reading.		1921.
3rd Reading.		1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Health Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Health Amendment Act, 1921.* Short title.

2. Section 21 of *The Public Health Act* is amended by striking out the figures “\$2” in the second line and substituting therefor the figures “\$4,” so that the said section will now read as follows:— Rev. Stat.,
c. 218, s. 21,
amended.

21. In a township every member of a local board and the secretary shall be entitled to the sum of \$4 for every attendance at a meeting of the board, and his necessary travelling expenses in going to and returning from the same, and the amount of such remuneration and expenses shall be payable by the treasurer of the municipality upon the order of the chairman of the board. Payment
of local
boards in
townships.

3. Section 35 of *The Public Health Act* is amended by adding thereto the following subsections:— Rev. Stat.,
c. 218, s. 35,
amended.

(3) The council of a city having a population of 100,000 or over may appoint an assistant medical officer of health, or more than one assistant medical officer of health, who shall act under the direction of the medical officer of health, and while so acting shall have all the powers and perform the same duties as the medical officer of health. Assistant
medical
officers, ap-
pointment.

(4) The council of a township, with the approval of the Provincial Board of Health, may appoint more than one medical officer of health for the township and may limit the territory within Medical
officers for
townships.

which each of such officers shall act, and every such medical officer of health shall, within the territory for which he is appointed, have and perform the powers and duties of a medical officer of health as set out in this Act or in any by-law passed thereunder and in force in the municipality.

Rev. Stat.,
c. 218,
amended.

4. *The Public Health Act* is amended by adding thereto the following section:—

Connection
with works
in another
muni-
cipality.

93a.—(1) Where the Provincial Board of Health has reported as provided in subsection 1 of section 96, and the carrying into effect of the recommendations of such report will involve a connection with, or an extension of works in another municipality, or an outlet from such municipality for the supply of water, or the rendering of any service by one municipality to another, the council of each municipality affected shall forthwith pass the necessary by-law to give effect to such recommendation, and each of the corporations required to construct any work for the purpose of carrying out such recommendations shall immediately commence the same and carry the work to completion without unnecessary delay, but nothing herein contained shall apply to or affect any work undertaken under an agreement heretofore or hereafter entered into and approved of by the Provincial Board and the Ontario Railway and Municipal Board.

Apportion-
ment
of costs.

(2) The Ontario Railway and Municipal Board, upon the application of the corporation of any municipality affected by the regulations of the Provincial Board, may in default of an agreement by the municipal corporations interested, impose conditions and settle the terms upon which the required works shall be constructed and maintained and the rates and charges to be imposed for any service rendered by one municipality to another, and the manner of apportioning and regulating any amounts required from time to time to cover the cost of such construction and maintenance.

No. 166.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Health Act.

1st Reading,	14th March,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Health Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Health Amendment Act, 1921*. Short title.

2. Section 21 of *The Public Health Act* is ~~repealed~~ and the following section substituted therefor:— Rev. Stat.,
c. 218, s. 21,
amended.

21. The council of a township may by by-law provide for the payment to each member of the local board and to the secretary of a sum not exceeding \$4 for every attendance at meetings of the board and his necessary travelling expenses in going to and returning from such meetings. Payment
of local
boards in
townships.

3. Section 35 of *The Public Health Act* is amended by adding thereto the following subsections:— Rev. Stat.,
c. 218, s. 35,
amended.

(3) The council of a city having a population of 100,000 or over may appoint an assistant medical officer of health, or more than one assistant medical officer of health, who shall act under the direction of the medical officer of health, and while so acting shall have all the powers and perform the same duties as the medical officer of health. Assistant
medical
officers, ap-
pointment.

(4) The council of a township, with the approval of the Provincial Board of Health, may appoint more than one medical officer of health for the township and may limit the territory within which each of such officers shall act, and every such medical officer of health shall, within the territory for which he is appointed, have and perform the powers and duties of a medical officer of health as set out in this Act or in any by-law passed thereunder and in force in the municipality. Medical
officers for
townships.

No. 166.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Health Act.

1st Reading,	14th March,	1921.
2nd Reading,	22nd March,	1921.
3rd Reading,		1921.

*(Reprinted as amended by the Municipal
Committee.)*

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Anatomy Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Anatomy Act, 1921.* Short title.

2. In this Act, Interpretation.

“Anatomical School” shall mean and include the “Anatomical School.”
 Faculties of Medicine of the University of Toronto, of Queen’s University and of the Western University, The Royal College of Dental Surgeons, the Hamilton School of Anatomy and any other institution which the Lieutenant-Governor in Council may declare to be an anatomical school.

3. The Lieutenant-Governor in Council may appoint General and local inspectors of anatomy.
 an Inspector of Anatomy for the province, and may make regulations defining the duties of the General Inspector in addition to the duties imposed by this Act and otherwise for carrying out of the provisions of this Act, and may fix the fees to be received by the General Inspector and licensed embalmers for services performed under this Act and under such regulations.

4.—(1) The body of any dead person found publicly Disposal of certain bodies for study of anatomy.
 exposed or sent to a public morgue, upon which a coroner after having viewed it shall deem an inquest unnecessary, or of any person who immediately before death was supported in and by any public institution, shall be immediately placed under the control of the Inspector of Anatomy:

(2) Unless such body, within twenty-four hours after being so found or sent to a public morgue or after death where the death takes place in a public institution, is claimed

by a relative or a *bona-fide* friend, in which case the same shall be delivered by the Inspector to some person qualified as hereinafter provided.

(3) A body claimed under provisions of subsection 2 shall be delivered to the claimant only under an order, Form I, which may be obtained from the police magistrate, or where there is no police magistrate, from a justice of the peace having jurisdiction in the locality.

Duty to
inter body
delivered
to relative
or friend.

(4) It shall be the duty of the relative or friend to whom a dead body is delivered under the provisions of section 3 to cause it to be interred.

To whom
unclaimed
bodies shall
be delivered.

5. The persons qualified to receive such unclaimed bodies shall be the teachers of anatomy in the anatomical schools named in section 2 and such other schools as shall from time to time be named by the Lieutenant-Governor in Council, and if there is any anatomical school in the locality where there is a body to be delivered to persons so qualified, such school shall have the first claim to the body.

Body
delivered
to medical
school may
be claimed
by friends.

6.—(1) Any anatomical school obtaining a body shall keep and preserve the same for not less than fourteen days, and in the event of a relative or *bona-fide* friend claiming it within that time, the anatomical school shall deliver the body to such relative or friend upon receipt of the reasonable costs and charges for receiving, preserving and keeping the same.

(2) Every such anatomical school shall keep such records as may be prescribed by the regulations, and the same shall at all times be open to inspection by the Inspector.

Duties of
local
inspector.

7. The Inspector of Anatomy shall

(a) Keep a register showing the name, age, sex, birth-place and religious denomination of every person whose unclaimed body has been received by him, together with the cause and date of death and the name of the anatomical school to which such body was delivered, with the date of delivery.

(b) Keep a register of the anatomical schools qualified to receive and desirous of receiving bodies for the instruction of students;

- (c) Subject to the provisions of section 6 distribute all bodies, in rotation, to such schools in proportion to the number of persons actually engaged in the study of human anatomy in each school, as shown by their official registers, which he shall annually inspect;
- (d) Inspect the authorized practical anatomical rooms as required, and, if necessary, direct the removal and disposal of any remains that he deems it advisable to have interred;
- (e) Keep his registers open for the inspection of any registered medical practitioner who may desire to inspect them;
- (f) Enter in his register for the purpose of identification a description of every body received by him, and of the clothing and effects found thereon, and the name of the anatomical school to which such body was delivered.

8. The Inspector shall, without delay, give notice of his appointment to all persons mentioned in sections 9 to 12. Certain persons to be notified by the inspector on appointment.

9. Every licensed embalmer actually engaged in business in the province shall notify the Inspector of Anatomy forthwith of any body that may come under his care which is not claimed in accordance with section 4, and such licensed embalmer shall dispose of the said body only in accordance with instructions from the Inspector of Anatomy.

10. Every coroner, whether he does or does not hold an inquest on a body found publicly exposed, to which his attention has been called, and which is not claimed in accordance with section 4, shall give notice to a licensed embalmer, who shall forthwith act according to the provisions of the preceding section. Coroner to give notice to inspector of bodies found exposed.

11. Where the body is placed in a public morgue, the person in charge of the morgue shall forthwith give notice thereof, as provided by section 10. Notice to be given to inspector by person in charge of morgue.

12. The head of any municipality in which a dead body to which this Act applies is found and of which he has notice shall cause notice to be given within twenty-four hours, as provided by section 10. Notice to be given to inspector by head of municipality.

Notice to be given to inspector by superintendents of public institutions.

13.—(1) The superintendent of every public institution to which this Act applies shall, upon the death of an inmate of the institution, give notice within twenty-four hours, as provided by section 10.

Register to be kept by superintendent.

(2) Every such superintendent shall keep a register showing the name, age, sex, birthplace and religious denomination, together with cause and date of death, of each person whose body is disposed of under the provisions of this Act, and the school to which such body is delivered, and shall file all documents furnished by persons claiming bodies, and such register and documents shall be open for inspection.

(3) No superintendent shall deliver a body to an anatomical school except on the order of the Inspector.

Anatomical schools availing themselves of this Act to give security.

14. An anatomical school desiring to avail itself of the benefits of this Act shall give a bond to the Inspector in the sum of \$80, with two sufficient sureties to his satisfaction in the sum of \$40 each, for the decent interment of the bodies after they have served the purposes required.

Penalty for neglect of duty by inspector, etc.

15. Every person who neglects to discharge the duties imposed upon him by this Act or any regulation made thereunder or who contravenes any provision thereof shall incur a penalty of not more than \$50 for every such offence.

Removal of bodies from province for purposes of anatomy prohibited.

16. No person shall send or take a dead body out of Ontario for surgical or practical anatomical purposes, and every person contravening the provisions of this section shall for each offence incur a penalty of \$100.

Recovery of penalties, 10 Edw. VII, c. 37.

17. The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Burial of unclaimed bodies.

18. Subject to the provisions of this Act, any unclaimed dead body found within the limits of a city, town, incorporated village or township, shall be interred at the expense of the corporation thereof, but such corporation may recover such expense from the estate of the deceased or from any person whose duty it was to inter such dead body.

Repeal.

19. *The Anatomy Act*, being chapter 162 of the Revised Statutes of Ontario, 1914, is repealed.

Witness my hand and seal as Police Magistrate (*or Justice of the Peace*) of and for (*as the case may be*) this day of _____ 19__.

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6. Copies of his quarterly reports shall be sent by General Inspector to all anatomical schools in the province.

7. The fees and disbursements of the General Inspector shall be paid by the anatomical schools in proportion to the number of bodies received by each.

No. 167.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Anatomy Act.

1st Reading,	14th March,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. PRICE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Boards of Education Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Boards of Education Act* is amended by adding thereto the following section:— Rev. Stat.,
c. 269, s. 23.

23. A Board of Education of a city having a population of not less than 200,000 may, by vote of the electors, authorize the payment of an annual allowance not exceeding \$400 to every elected and appointed member thereof; an additional allowance not exceeding \$400 to the chairman thereof, and an additional allowance not exceeding \$100 to each chairman of a standing committee thereof. Allowance
to members
of board
in city of
200,000.

2. *The Boards of Education Act* is amended by altering the number of section 23 of the said Act to 24. Rev. Stat.,
c. 269, s. 23,
amended.

No. 168.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the Boards of Education
Act.

1st Reading.	14th March.	1921.
2nd Reading.		1921.
3rd Reading.		1921.

Mr. THOMPSON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Boards of Education Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Boards of Education Act* is amended by adding thereto the following section:— Rev. Stat.,
c. 269, s. 23.

23. A Board of Education of a city having a population of not less than 200,000 may, by *resolution*, authorize the payment of an annual allowance not exceeding \$400 to every elected and appointed member thereof; an additional allowance not exceeding \$400 to the chairman thereof, and an additional allowance not exceeding \$100 to each chairman of a standing committee thereof. Allowance
to members
of board
in city of
200,000.

2. *The Boards of Education Act* is amended by altering the number of section 23 of the said Act to 24. Rev. Stat.,
c. 269, s. 23.
amended.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the Boards of Education
Act.

1st Reading,	14th March,	1921.
2nd Reading,	21st March	1921.
3rd Reading,		1921.

*(Reprinted as amended by the Municipal
Committee.)*

Mr. THOMPSON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Workmen's Compensation Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Workmen's Compensation Board Act, 1921.* Short title.

2. The membership of the Board is increased from three to five; and section 45 of *The Workmen's Compensation Act* is amended by substituting for the word "three" in the third line thereof the word "five." Increase in number of members of board, 1914, c. 25.

3. The office of Secretary of the Board is combined with that of a member of the Board without further salary than as a member of the Board, and the office of vice-chairman is abolished; and subsection 1 of section 46 of *The Workmen's Compensation Act* is amended by substituting for the words "Vice-Chairman of the Board" at the end thereof the words "Secretary of the Board"; subsection 2 of said section 46 is amended by substituting for the words "the Vice-Chairman" in the second and third lines thereof the words "any other Commissioner chosen by the Board or by the remaining members thereof"; section 48 of the said Act repealed; and section 59 of the said Act is amended by striking out the words "a Secretary and" in the first line thereof. 1914, c. 25, amended; secretary to be member of board; vice-chairman abolished.

4. The salary of the Chairman of the Board is reduced from \$10,000 to \$8,500; the salary of \$8,500 for Vice-Chairman is abolished; the salary of the other Commissioner is reduced from \$7,500 to \$5,500; and the salary of each of the new Commissioners is fixed at \$5,500; and section 52 of *The Workmen's Compensation Act* is amended by substituting for "\$10,000" in the first line thereof "\$8,500"; by striking out the words "the salary of the Vice-Chairman shall be \$8,500 per annum" in the second and third lines thereof; Salaries.

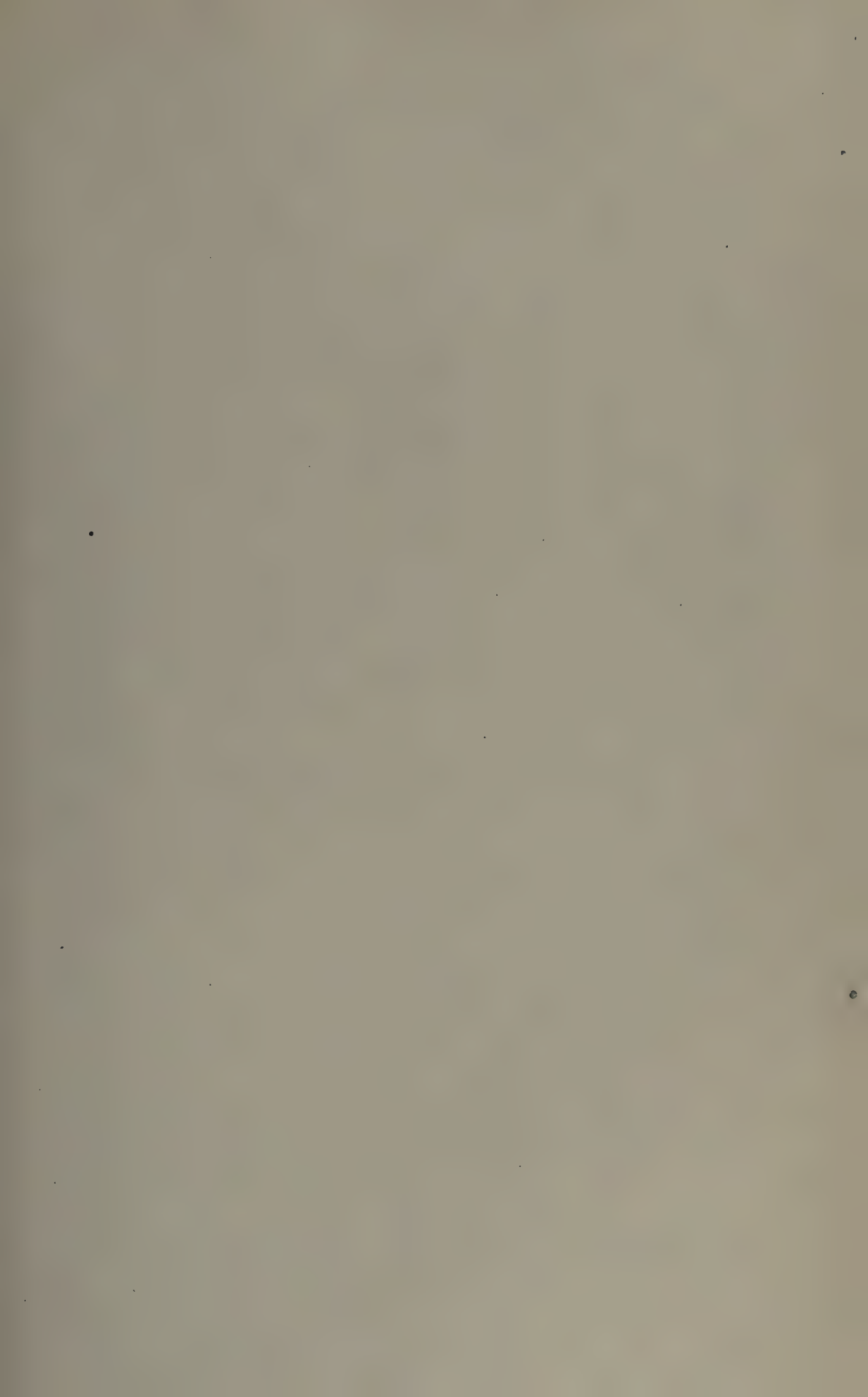
by substituting for the words "the other Commissioner" in the third line thereof the words "each of the other Commissioners"; and by substituting for "\$7,500" in the fourth line thereof "\$5,500."

Quorum
of board.

5. The quorum of the Board is increased from two to three, and section 53 of *The Workmen's Compensation Act* is amended by substituting for the word "two" in the first line thereof the word "three"; and section 54 of the said Act is amended by substituting for the word "two" in the first line thereof the words "at least three"; and by substituting for the words "such two" in the second line thereof the words "the remaining."

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 169.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the Workmen's Compensation Act.

1st Reading.	14th March.	1921.
2nd Reading.		1921.
3rd Reading.		1921.

Mr. Rollo.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Fair Rentals of Dwelling Houses.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fair Rentals Act, 1921*. Short title.

2. This Act shall apply only to a city the council of which Application of Act. passes a by-law declaring that it shall apply, and only to dwelling houses the standard rent of which does not exceed \$100 a month in cities having a population over 200,000, and \$60 in other cities.

3. In this Act:

Interpretation.

(a) "Dwelling House" shall mean premises occupied "Dwelling House." for dwelling purposes other than a room in a hotel, lodging house or rooming house.

(b) "Landlord," "Tenant," shall include any person "Landlord," "Tenant." from time to time deriving title under the original landlord or tenant.

(c) "Standard Rent" shall mean the rent at which "Standard Rent." the dwelling house was let on the first day of January, 1919, or where the dwelling house was not let on that day the rent at which it was last let before that day or where it was first let after that day the rent at which it was first let.

4.—(1) Any increase in the rent of a dwelling house exceeding ten per cent. of the standard rent shall not be recoverable notwithstanding any agreement to the contrary heretofore or hereafter made. Increase exceeding 10 per cent. standard rent not recoverable.

(2) Where the landlord incurs expenditure on the improvement or structural alteration (not including expenditure for decoration or ordinary repairs, of a dwelling house, Allowance for improvements or structural alteration.

an increase in rent in addition to that allowed by subsection 1 but not exceeding 10 per cent. on the amount actually expended on such improvement or structural alteration may be charged by the landlord.

Less
favourable
terms to be
deemed
increase
in rent.

(3) Any transfer to a tenant of a burden or liability previously borne by the landlord the result of which is that the terms on which the dwelling house is held are less favourable to the tenant than the previous terms shall be deemed to be an increase in rent whether or not the sum payable by way of rent is increased.

More
favourable
terms not to
be deemed
increase
in rent.

(4) An increase in rent in respect of any transfer to the landlord of a burden or liability previously borne by the tenant, the result of which is that the terms on which the dwelling house is held, are more favourable to the tenant than the previous terms shall be deemed not to be an increase in rent for the purposes of this Act.

Particulars
of notice
required
to be given
tenant pending
increase.

5. No increase in rent permitted by this Act shall be due or recoverable until the expiration of four weeks after the landlord has served upon the tenant a notice in writing stating:

- (a) The amount of the proposed increase;
- (b) The standard rent, where the increase is made on that account; and
- (c) The cost of the improvements or structural alterations where the increase is made on that account;

and informing the tenant of his right to apply to the Local Board of Health for a certificate as provided by section 6.

Increased
rent not
recoverable
if Local
Board of
Health
certifies
house unfit
for
habitation.

6. No increase in rent permitted by this Act shall be due or recoverable if the Local Board of Health of the city on the application of the tenant certifies that the dwelling house is not reasonably fit for habitation or is not in a reasonable state of repair.

Landlord
to furnish
tenant with
statement if
requested;
penalty.

7. The landlord, on the request of the tenant, shall furnish to him a statement setting out the standard rent of the house, and if he fails to do so within fourteen days, or furnishes a statement which is false in any particular, he shall be liable on summary conviction to a penalty not exceeding \$50.

8. Any rent paid by the tenant after the 8th day of October, 1920, in excess of that allowed by section 4, may be recovered by him from the landlord or may be deducted from the rent.

Excess rent paid since 8th October, 1920, may be recovered.

9. No fine or premium in addition to the rent in consideration of the granting, renewal or continuance of a tenancy shall be recoverable, and any money paid on that account after the 8th day of October, 1920, may be recovered by the tenant from the landlord, or may be deducted by him from the rent.

Premiums, etc., in consideration of granting or renewal of tenancy to be deemed excess rent.

10.—(1) Any dispute between the landlord and tenant arising out of the foregoing provisions excepting section 7 may be heard and determined by a judge of the county or district court on the application of either party, and the decision of such hearing shall be final.

Jurisdiction to settle disputes vested in county or district courts.

(2) A notice of appointment for the hearing shall be taken out by the applicant, and shall be served on the other party not less than 5 days before the day appointed for the hearing.

Notice of hearing.

(3) The decision of the judge shall have the same force and effect, and be enforced in the same way as a judgment given by him in a Division Court, and costs may be awarded by him on the Division Court scale.

Judgment to have same force and effect as Division Court judgment.

11. This Act shall not apply to houses erected after or in course of erection at the passing of this Act.

Application to houses in course of erection.

12. This Act shall come into force and take effect upon the day on which it receives the Royal Assent.

When Act comes into force.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Fair Rentals of Dwelling Houses.

1st Reading.	14th March.	1921.
2nd Reading.		1921.
3rd Reading.		1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend the Law relating to the Guardianship and Custody of Infants.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Equal Guardianship of Infants Act, 1921.* short title.

2. In this Act

Interpretation.

“Infant” and “Minor” shall mean a person who is “Infant” and unmarried and under the age of twenty-one “Minor,” years, and shall include any child who is unborn at the death of its father;

“Official Guardian” shall mean the Official Guardian appointed under *The Judicature Act.* “Official Guardian.”

“Court” shall mean the Surrogate Court of the County “Court.” in which the infant or any or either of them reside.

3. Every guardian under this Act shall have all such powers over the estate and the person or over the estate (as the case may be) of the infant as any guardian appointed by will or otherwise now has in England under the Act, 12 Charles the Second, chapter 24, and 49 and 50 Victoria, chapter 27, section 4. Powers of guardian.

4. All disabilities of married women with respect to the guardianship of their minor children are hereby removed. Disabilities of married women as to guardianship of their minor children removed.

5. The husband and wife living together shall be joint guardians of their minor children with equal powers, rights, and duties in respect thereto, and there shall be no paramount right to either in connection therewith. Equal guardianship of parents.

Appoint-
ment of
guardian by
will or deed.

6. It shall be lawful for either the father or the mother, if under age by deed, and if of full age by deed or will, to appoint any person to act in his or her place as guardian of an infant child after his or her death respectively, if the child is then an infant.

Surviving
parent to
be sole
guardian.

7. In case of the death of either of the parents, the surviving parent shall become sole guardian of their minor children, and shall have and may exercise all the powers theretofore exercised by the parents jointly; provided that wherever a guardian has been appointed under section 6 the survivor shall exercise all such powers jointly with such guardian.

Where one
parent not
solely or
jointly
guardian at
decease of
other
parent.

8. If at the decease of either parent the survivor is not solely or jointly with the other parent a guardian of his or her minor children, he or she shall not thereupon become such guardian except by order of the Court.

Re-marriage
of surviving
parent.

9. Should the surviving parent re-marry, he or she shall continue to possess and exercise all such powers, rights, and duties as fully and to the same extent as if such re-marriage had not taken place.

Disposition
by will of
surviving
parent as to
powers, etc.,
of custody
and control
of property
of minor
children.

10. In case of the death of either of the parents, the surviving father or mother may by will duly executed transfer any or all of his or her powers, rights, and duties in respect of the custody and control, and of the management of the property, but not of the services and earnings, of their minor children to any fit person or persons.

Where
husband
and wife
living apart.

11.—(1) If the husband and wife are living apart voluntarily the guardianship of the infant children may be arranged by agreement in writing between them, and in the absence of such an arrangement, or in case either party desires its termination, he or she may apply to the Court for an adjudication as to the guardianship under the circumstances.

Parent
having
custody to
retain same
pending ad-
judication.

(2) Pending such adjudication, the husband or wife who actually has the custody and control of their infant children, or any of them, shall retain said right of custody and control, and be entitled to the guardianship of such children.

Where
judicial
separation
or divorce.

12. In any case where a decree for judicial separation or a decree either nisi or absolute for a divorce shall be pronounced, the Court pronouncing such decree may thereby declare the parent, by reason of whose misconduct such decree is made to be a person unfit to have the custody of the children (if any) of the marriage; and, in such case,

the parent so declared to be unfit shall not be entitled as of right to the custody or guardianship of such children.

13. The Court may, upon the application of either parent of an infant, make such order as it may think fit ^{Order of custody of infant.} regarding the custody of such infant and the right of access thereto of either parent, having regard to the welfare of the infant, and to the conduct of the parents, and to the wishes as well of the mother as of the father, and may alter, vary or discharge such order on the application of either parent, or, after the death of either parent, of any guardian.

14. The Court may, as it sees fit, and upon being satisfied that it is for the welfare of the infant, remove from ^{Removal of guardian by court.} his office any testamentary guardian, or any guardian appointed or acting by virtue of this Act or otherwise, including the Official Guardian to the extent of his guardianship of such infant, and may, if it shall be deemed to be for the welfare of the infant, appoint another guardian in place of the one so removed: ^{Provide.} Provided that if the infant is a male of the age of fourteen years or a female of twelve years, no such appointment shall be made without his or her consent, and every person so appointed a guardian by the Court, other than the Official Guardian, shall, before he enters upon his duties, give to the court security for the faithful and sufficient discharge thereof, and shall not be entitled to exercise any of his rights and powers or perform the duties of such guardianship until such security has been given.

15. Any parent, guardian, or any other person having the care or charge of a minor, or any charitable society ^{Agreement of guardianship may be entered into.} authorized by the Lieutenant-Governor to exercise the powers conferred by this Act, and having the care or charge of a minor, may, with the minor's consent, if the minor is a male not under the age of fourteen years or is a female not under the age of twelve years, and without such consent if he or she is under such age, constitute by indenture to be the guardian of the child any respectable trustworthy person who is willing to assume, and by indenture or other instrument in writing does assume, the duty of a parent towards the child, but the parent shall remain liable for the performance of any duty imposed by law in case the guardian fails in the performance thereof.

16. The guardian shall thereupon possess the same ^{Authority of guardian.} authority over the child as he or she would have were the ward his own or her own child, and shall be bound to perform the duties of a parent.

Application
to court,
under what
circum-
stances.

17. In the event of guardians being unable to agree upon a question affecting the welfare of an infant, any of them may apply to the Court for its directions, and the Court may make such order as may be deemed proper.

Where no
guardian
has been
appointed
at death of
both par-
ents, Official
Guardian
to act.

18. Upon the death of both father and mother of an infant, if no guardian has been appointed as herein provided, or if the guardian or guardians appointed are dead or refuse to act, the Official Guardian shall, by virtue of his office and without any further appointment, be the guardian of such infant.

Extent of
disabilities
of minor
parents.

19. In respect of the guardianship of their minor children, the disabilities of a minor husband (if any) shall be in no case greater than those of a minor wife, and the disabilities of a minor wife (if any) shall in no case be greater than those of a minor husband.

Resignation
of guardian.

20. Any guardian appointed under this Act may by leave of the Court resign his office upon such terms and conditions as may be deemed just.

Application
by mother
of minor.

21. Where an application is made by the mother of a minor it may be without next friend.

Joint
liability of
parents for
support of
minor
children.

22. The support of their minor children shall be chargeable jointly upon the property of the husband and the property of the wife, and in relation thereto they may be sued either jointly or severally.

Rules of
equity to
prevail.

23. In questions relating to the custody and education of infants the rules of equity shall prevail.

Security.

24.—(1) Nothing in this Act shall be construed to restrict the jurisdiction of the Supreme Court, or any Judge thereof, with respect to the appointment or removal of guardians of infants.

(2) Upon application of the Official Guardian, or of any person, the Court may order any guardian having the custody of the estate of any infant under this Act, other than the Official Guardian, to give such security for the performance of his duty as guardian as the Court may think fit.

Powers of
guardian.

25. Such person or persons as may be guardian or guardians under this Act shall and may take into his or their custody, to the use of such child or children, the profits of all lands, tenements, and hereditaments of such child or children, and also the custody and management of the goods, chattels and personal estate of such child or children, till

their respective age of twenty-one years or any lesser time, according to such disposition aforesaid, and may bring such action or actions in relation thereunto as by law, the owner or owners of such lands, tenements and hereditaments, or of such goods, chattels, and personal estate, as the case may be, might lawfully bring. (12 Car. c. 24, s. 91, T.S. 1897 c. 96, s. 3.)

26.—(1) Where any action or proceeding is brought or taken against an infant relating to any lands, goods or chattels of which he is personally in possession or in which he is personally interested, or for the recovery of money, or in respect of a personal tort, such of the guardians of the infant under this Act as are resident in the Province shall be personally served with the writ, petition, notice or other proceeding; and, notwithstanding any rule or court, service thereof on such guardians shall be deemed good service on any infant defendant resident in the Province.

In action against infant. service of writ may be made upon guardian.

(2) From the time of such service the guardians so served shall be the guardians *ad litem* of the infant, and they shall forthwith attend to the interests of the infant, and take all such proceedings as may be necessary for the protection of his interests.

Guardian ad litem.

(3) In addition to the service on the guardians of the infant provided by this section, the Court in which the action or proceeding is brought or taken, or any Judge thereof, may direct service of the writ, petition, notice or other proceedings to be made on the Official Guardian.

Court may order service of writ, etc., on Official Guardian.

27. An appeal shall lie from an order or judgment of the Court under this Act to the Appellate Division of the Supreme Court of Ontario and the practice and procedure shall be the same as in the case of an appeal under the Surrogate Courts Act.

Appeal.

28. The practice and procedure under the Surrogate Courts Act and rules shall apply to proceedings in the Surrogate Court under this Act, and the power to make rules under that Act shall apply to proceedings under this Act.

Practice and procedure of Surrogate Court to apply.

29. Sections 2, 3 and 4 and sections 26 to 34 of *The Infants Act* are repealed.

The Rev. Stat., c. 153, ss. 2, 3, 4 and 26-34, repealed.

No. 171.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the Law relating to the
Guardianship and Custody of Infants.

1st Reading,	14th March,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. DEWART.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Counties Reforestation Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Counties Reforestation Amendment Act, 1921*. Short title.

2. Section 2 of *The Counties Reforestation Act* is amended by adding thereto the following clauses:— Rev. Stat., c. 240, s. 2, amended.

(c) For entering into agreements for the developing, protecting, caring for, and managing such lands or any portion thereof; Regulations.

(f) For leasing, selling, or otherwise disposing of such lands or any portion thereof.

No. 173.

2nd Session, 15th Legislature,
11 George V. 1921.

BILL.

An Act to amend The Counties Reforesta-
tion Act.

1st Reading,	15th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. BOWMAN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Trades and Labour Branch Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Department of Labour Act, 1921.* Short title.

2. *The Trades and Labour Branch Act* is amended by 1916, c. 13, amended. inserting therein the following section:—

11a.—(1) For the better carrying out of the provisions of section 10 and the duties of the Department of Labour with respect to employment, the Lieutenant-Governor in Council may make regulations,— Lieutenant-Governor in Council may make regulations affecting.

(a) For the establishment of a Provincial Employment Service Council and Local Employment Service Councils; Employment Service Councils.

(b) For defining the scope of the activities of such councils; Scope of councils.

(c) For the payment of travelling expenses and the fixing of a per diem allowance to members of the Provincial Council and in transacting the business of the council; Travelling expenses of members of councils.

(d) For advancing the travelling expenses of persons travelling to their place of employment who have procured such employment through the Ontario Government Employment Bureaux, and the conditions under which such advances for travelling expenses may be made. Advances for travelling expenses to employees.

(2) The travelling expenses and allowances payable under regulations made under subsection 1 shall be payable out of any sums voted by the Assembly and appropriated by the Legislature for Ontario Government Employment Bureaux and other purposes. Expenses and allowances, how payable.

No. 173.

2nd Session. 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Trades and Labour
Branch Act.

1st Reading.	15th March, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. KOLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Trades and Labour Branch Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Department of Labour Act, 1921.* Short title.

2. *The Trades and Labour Branch Act* is amended by 1916, c. 13, amended. inserting therein the following section:—



11a.—(1) For the better carrying out of the provisions of section 10 and the duties of the Department of Labour with respect to employment, the Lieutenant-Governor in Council may make regulations, — Lieutenant-Governor in Council may make regulations affecting.

(a) For the establishment of a Provincial Employment Service Council and Local Employment Service Councils; Employment Service Councils.

(b) For defining the scope of the activities of such councils Scope of councils. within the scope of said section 10; within the scope of said section 10;

(c) For the payment of travelling expenses and the fixing of a per diem allowance to members of the Provincial Council *while* transacting the business of the council; Travelling expenses of members of councils.

(d) For advancing the travelling expenses of persons travelling to their place of employment; Advances for travelling expenses to employees.

ployment who have procured such employment through the Ontario Government Employment Bureaux, and the conditions under which such advances for travelling expenses may be made,  but no such advance shall be made unless and until the employer has agreed to repay the agency the advances to be made for such travelling expenses. 

Expenses
and
allowances,
how
payable.

- (2) The travelling expenses and allowances payable under regulations made under subsection 1 shall be payable out of any sums voted by the Assembly and appropriated by the Legislature for Ontario Government Employment Bureaux.

No. 173.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Trades and Labour
Branch Act.

1st Reading, 15th March, 1921.
2nd Reading, 22nd March, 1921.
3rd Reading, 1921.

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend the Loan and Trust Corporations Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 122 of *The Loan and Trust Corporations Act* is hereby amended by inserting therein after the word "country" in the second line thereof, the words "or an unincorporated association or group of persons carrying on business under the laws of any other country," and by adding at the end of such subsection the words "and any such unincorporated association or group of persons so admitted to registry shall for all the purposes of this Act be deemed to be a corporation registered under this Act." Rev. Stat., c. 184, s. 122 (2), amended.

No. 174.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Loan and Trusts
Corporations Act.

1st Reading.	15th March, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. BRACKIN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Factory, Shop and Office Building Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 84 of *The Factory, Shop and Office Building Act* as amended by 10-11 George V, chapter 86, section 3, is further amended by striking out the last three lines thereof and substituting the following therefor: Rev. Stat., c. 229, s. 84 (3), (as amended by 10-11 Geo. V, c. 86, s. 3), amended.

“apply to any shop used exclusively for the sale of fresh fruit and fresh vegetables, and all by-laws hereafter passed under the provisions of this subsection shall not apply to any shop used exclusively for the sale of fresh fruit and fresh vegetables.” Early closing by-laws.

No. 175.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Factory, Shop and
Office Building Act.

1st Reading, 15th March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. LEWIS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Workmen's Compensation Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Workmen's Compensation Amendment Act, 1921.* Short title.

2. *The Workmen's Compensation Act* is amended by adding thereto the following section:— 1914, c. 25, amended.

31c.—(1) In order better to provide for the payment of pensions in industries included in Schedule 2, a pension fund shall be established for the payment of all existing and future pension awards in such industries, and for greater convenience and security such pension fund shall be amalgamated with the reserve fund or pension fund for the industries in Schedule 1, making one indivisible fund, to be hereafter known as the pension fund, out of which, without regard to schedule or class of industry, all existing pensions heretofore awarded and all pensions hereafter awarded under Part I of this Act are to be paid. Pension fund for industries where employers individually liable.

(2) All pension awards in Schedule 2 industries existing at the coming into effect of this section shall be revalued at their full capitalized value, as determined by the board, as of that date, and in each case the employer liable for payment of the award shall pay to the board the difference between such capitalized value and the amount of any deposit standing to his credit in respect of the award, or, if there is no such deposit, he shall pay the full capitalized value: Revaluation of present pension awards.

and the amount so paid, and, where there is any such deposit, the amount of such deposit standing to the employer's credit, shall be placed in the pension fund, and the pension fund shall thereafter be liable for the future payments of the pension and the employer shall be relieved from individual liability therefor;

Proviso.

Provided that where the deposit standing to the employer's credit in any case exceeds the capitalized value the difference shall be repaid or credited to the employer, and where any pension for which deposit has been made has expired the whole amount standing to the employer's credit in respect of such deposit shall be repaid or credited to the employer.

Capital-
ization
basis.

- (3) All pension awards in Schedule 2 industries made after the coming into effect of this section, whether for accidents theretofore or accidents thereafter happening, shall be capitalized at their full capitalized value, as determined by the board, and the amount thereof shall be paid by the employer to the board and placed in the pension fund, and the pension fund shall thereafter be liable for payment of the pension and the employer shall be relieved from individual liability therefor.

Revaluation
of pension
awards.

- (4) For the purpose of testing and maintaining the sufficiency of the pension fund, the board may at any time or times make a revaluation of the unexpired pension awards for which the pension fund is liable and may collect, *pro rata*, according to such revaluation, from the employers against whom the unexpired Schedule 2 awards were made, any deficiency found to exist in respect of Schedule 2 cases.

Provision
for default
of em-
ployers.

- (5) To make good any default of Schedule 2 employers heretofore or hereafter occurring in the payment of compensation or other liability under this Act, the board, at such time or times as it may be necessary, may in like manner as provided in section 103 for the collection of administration expenses, collect from the remaining Schedule 2 employers, or those of them that have had accidents, such sum, not for any year ex-

ceeding one per cent. of the employer's accident cost for the year, as may be required to meet such default.

- (6) Where by reason of limited legal liability or for other cause it is deemed inequitable or inexpedient to apply any provision of this section the board shall have power to exempt any employer or class of employers from the same accordingly. Exemptions in certain cases.

- (7) Pension awards for accidents to employees of the Government of Ontario or of Canada may be dealt with under the provisions of this section where the Government so desires. Pension awards to Government employees.

- (8) Section 28 of *The Workmen's Compensation Act*, as amended by section 12 of chapter 24 of the Statutes of 1915, and by section 3 of chapter 31 of the Statutes of 1916, and section 31 of *The Workmen's Compensation Act* are repealed. 1914, c. 25, ss. 28, 31, repealed.

3. *The Workmen's Compensation Act* is further amended by adding thereto the following section:— 1914, c. 25, amended.

38a.—(1) Where an employer carrying on an industry included in Schedule 2 of the Act does not re-employ and keep employed at suitable work and remuneration a workman who has been injured in that industry, such workman shall be deemed to be permanently totally disabled, or disabled to the extent of the difference between his earnings before the accident and the amount the employer shows he is able to earn, and will continue to be able to earn, in some suitable employment which has been offered him after the accident, and the employer shall be liable for payment of compensation accordingly. Failure to employ after accident.

- (2) Where owing to the smallness of the industry or the limited field of work afforded thereby, or for any other reason, the application of subsection 1 would be a hardship upon the employer the board may modify the employer's liability as may in the circumstances seem proper. Power to modify liability.

- (3) This section shall apply to workmen heretofore as well as those hereafter injured. Retroactive application.

1914, c. 25,
amended.

4. *The Workmen's Compensation Act* is further amended by adding thereto the following section:—

Lien for
assessment
or award.

98b. The amount of any assessment and of any order enforceable as a judgment of court under section 63 or section 94 shall be a first lien upon all the property of the employer, real, personal, or mixed, used in or in connection with the industry carried on by the employer, subject only to municipal taxes.

1914, c. 25,
amended.

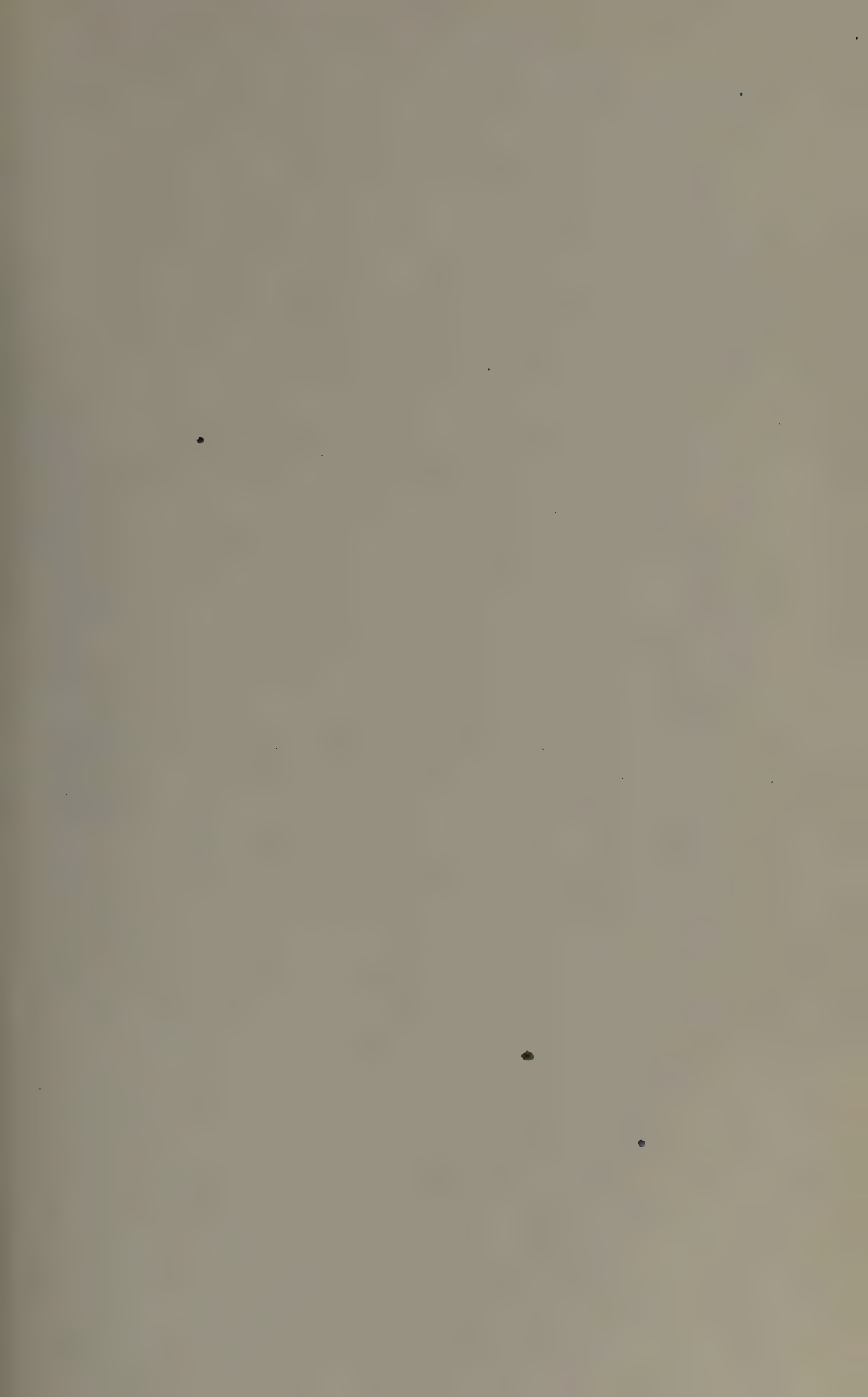
5. *The Workmen's Compensation Act* is further amended by adding to section 109 the following subsection:—

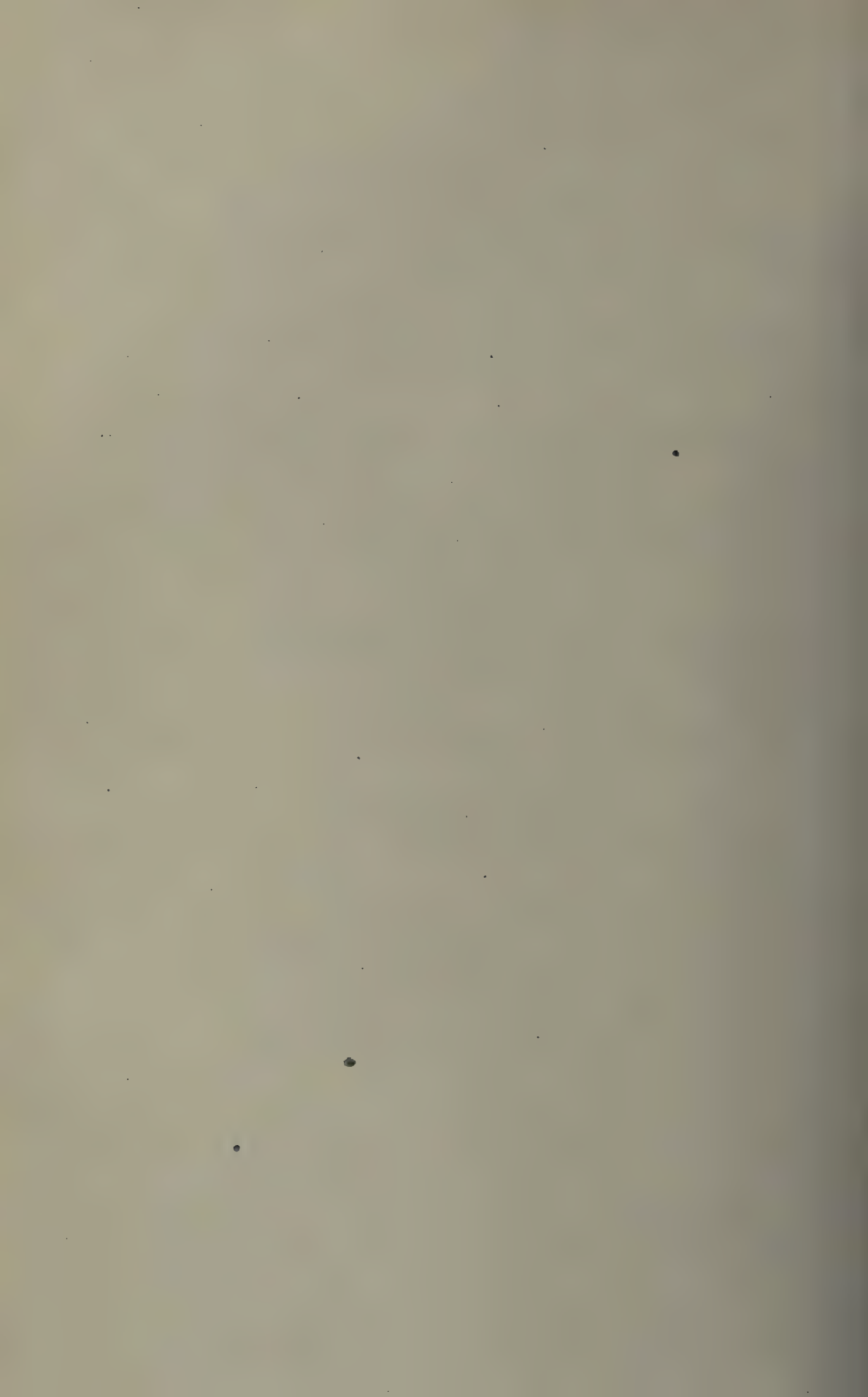
Extension
of Act to
farm and
domestic
servants.

(2) Notwithstanding anything in subsection 1, farming or domestic or menial servants may be brought under the provisions of Part I of this Act by application of the employer pursuant to the provisions of section 76a.

Commence-
ment of
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.





No. 176.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Workmen's Com-
pensation Act.

1st Reading,	16th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to provide for the Maintenance of Parents by their Children.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Parents Maintenance Act, 1921.* Short title.

2.—(1) A son or daughter shall be liable for the support of his or her dependent parent to the extent hereinafter mentioned. Liability of child.

(2) A parent shall be deemed to be dependent, where by reason of age, disease, or infirmity he is unable to maintain himself. When parent to be deemed dependent.

3.—(1) A dependent parent or any person acting on his behalf may summon his son or daughter before a police magistrate or two justices of the peace, who, upon proof of service of the summons, and whether or not the son or daughter appears, and upon sufficient evidence being adduced that such son or daughter has sufficient means to provide for such parent, may in the discretion of such magistrate, or justices of the peace, having regard to the whole circumstances of the case, order that such son or daughter shall pay for the support of such parent, a weekly sum of money, not exceeding \$20. with or without costs. Summons and order of magistrate for maintenance.

(2) An order may be made under the provisions of this Act whether or not the dependent parent is being cared for in any sanatorium, home, asylum, or other eleemosynary institution. Power not affected by maintenance of parent by charity.

4. In case of non-payment of any sum so ordered, together with costs, for thirty days after the order has been Summons on non-payment of allowance.

made, or for such less time as the order may provide, and when and so often as the payment so ordered is in arrears, such parent or person acting on his behalf may procure from the magistrate or justices making the order a summons against the person in default of payment returnable on the fourteenth day after the service thereof.

Service of
summons.

5. A summons may be served on the person named therein, either personally or in such other manner as the magistrate or justices may in writing direct, and shall require the person so served to attend at the time and place mentioned therein to show cause why the order should not be enforced as may be hereinafter provided.

Penalty
for non-
attendance
or non-
payment.

6. If the person so summoned does not attend as required by the summons, or show a just and sufficient reason for non-attendance, or does not satisfy the magistrate or justices that he is unable to pay the sum ordered to be paid, the magistrate or justices may enforce the order by the like proceedings, including imprisonment, as under *The Ontario Summary Convictions Act* are applicable in the case of a fine or penalty imposed by a justice of the peace.

Varying
order on
change in
circum-
stances.

7. The magistrate or justices by whom the order for payment was made, or any other magistrate or justices sitting in his or their stead at his or their request, shall have power, from time to time, to vary the order on the application of the parent, or person acting on his behalf, or of the son or the daughter upon proof that the means of such parent or son or daughter have been altered in amount since the making of the original order, or any subsequent order varying it.

Costs.

8. The costs of proceedings in this Act shall be the same as are provided for by *The Ontario Summary Convictions Act*, and the provisions of that Act as to appeals, and the proceedings therein and incidental thereto shall apply to any order made under the provision of this Act except that where the son or daughter is the appellant, he or she shall pay all costs.

Appeals.

Commence-
ment of
Act.

9. This Act shall come into force and take effect on and after a day to be named by the Lieutenant-Governor by his proclamation.

SUMMONS—FORM "B."

THE PARENTS MAINTENANCE ACT, 1921.

To.....

Of.....

City
District } Of.....
County

Whereas an application has this day been made by.....
.....on behalf of.....
.....to the undersigned police magistrate, or justices
of the peace, for a summons under *The Parents Maintenance Act,*
1921.

These are, therefore, lawful to command you to appear before the
undersigned, or such police magistrate or justices of the peace as
may be then and there present in my, or our, stead at.....
.....on the.....day after the
service thereof, at the hour of.....in the.....noon,
to show cause why an order should not be made against you, to pay
to the support of your.....such weekly sum not ex-
ceeding twenty dollars (\$20) as may be considered to be in accord-
ance with your means and with the means of your said.....
and with the means of your said family, if any.

Given under.....hand }
and seal this..... }
.....day of.....19 }

ORDER—FORM "A."

THE PARENTS MAINTENANCE ACT, 1921.

To.....

Of.....

City
District } Of.....
County

Upon reading the summons dated the.....
day of.....19, issued by.....
.....police magistrate for.....or justices of
the peace for.....upon the application of
.....under the provisions of *The Parents*
Maintenance Act, 1921, and upon hearing all the parties thereto,
and the evidence adduced, and it appearing that the said.....
.....is entitled to the protection and benefit
of the said Act:

I, or we, the undersigned, do hereby order that the said does
hereafter pay to his, or her.....
the sum of \$..... per week, or month, for his, or her, support,
the first payment to be made on the day of.....19....
together with the costs of these proceedings, which amount to
\$....., which shall be paid on or before the.....
day of 19...

Given under.....hand }
and seal this..... }
.....day of.....19 }

No. 177.

2nd Session, 15th Legislature,
11 George V., 1921.

BILL.

An Act to provide for the Maintenance
of Parents by Their Children.

1st Reading,	16th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McNAMARA.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to provide for the Maintenance of Parents
by their Children.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. This Act may be cited as *The Parents Maintenance Act, 1921.* Short title.

2.—(1) A son or daughter shall be liable for the support of his or her dependent parent to the extent hereinafter mentioned. Liability of child.

(2) A parent shall be deemed to be dependent, where by reason of age, disease, or infirmity he is unable to maintain himself. When parent to be deemed dependent.

3.—(1) A dependent parent or any other person, with the consent in writing of the Crown Attorney, may summon a son or daughter of such parent before a police magistrate or two justices of the peace, who, upon proof of service of the summons, and whether or not the son or daughter appears, and upon sufficient evidence being adduced that such son or daughter has sufficient means to provide for such parent, may in the discretion of such magistrate, or justices of the peace, having regard to the whole circumstances of the case, order that such son or daughter shall pay for the support of such parent, a weekly sum of money, not exceeding \$20, with or without costs. Summons and order of magistrate for maintenance.

(2) An order may be made under the provisions of this Act whether or not the dependent parent is being cared for in any sanatorium, home, asylum, or other eleemosynary institution. Power not affected by maintenance of parent by charity.

4. In case of non-payment of any sum so ordered, together with costs, for thirty days after the order has been given, the parent shall be liable to be summoned to pay the sum so ordered, with costs, for thirty days after the order has been given. Summons on non-payment of allowance.

made, or for such less time as the order may provide, and when and so often as the payment so ordered is in arrears, such parent or person acting on his behalf may procure from the magistrate or justices making the order a summons against the person in default of payment returnable on the fourteenth day after the service thereof.

Service of
summons.

5. A summons may be served on the person named therein, either personally or in such other manner as the magistrate or justices may in writing direct, and shall require the person so served to attend at the time and place mentioned therein to show cause why the order should not be enforced as may be hereinafter provided.

Penalty
for non-
attendance
or non-
payment.

6. If the person so summoned does not attend as required by the summons, or show a just and sufficient reason for non-attendance, or does not satisfy the magistrate or justices that he is unable to pay the sum ordered to be paid, the magistrate or justices may enforce the order by the like proceedings, including imprisonment, as under *The Ontario Summary Convictions Act* are applicable in the case of a fine or penalty imposed by a justice of the peace.

Varying
order on
change in
circum-
stances.

7. The magistrate or justices by whom the order for payment was made, or any other magistrate or justices sitting in his or their stead at his or their request, shall have power, from time to time, to vary the order on the application of the parent, or person acting on his behalf, or of the son or the daughter upon proof that the means of such parent or son or daughter have been altered in amount since the making of the original order, or any subsequent order varying it.

Costs.

8. The costs of proceedings in this Act shall be the same as are provided for by *The Ontario Summary Convictions Act*, and the provisions of that Act as to appeals, and the proceedings therein and incidental thereto shall apply to any order made under the provision of this Act except that where the son or daughter is the appellant, he or she shall pay all costs.

Appeals.

Commence-
ment of
Act.

9. This Act shall come into force and take effect on a day to be named by the Lieutenant-Governor by his proclamation.

SUMMONS—FORM "B."

THE PARENTS MAINTENANCE ACT, 1921.

To.....

Of.....

City
District } Of.....
County }

Whereas an application has this day been made by.....
.....on behalf of.....
.....to the undersigned police magistrate, or justices
of the peace, for a summons under *The Parents Maintenance Act,*
1921.

These are, therefore, lawful to command you to appear before the
undersigned, or such police magistrate or justices of the peace as
may be then and there present in my, or our, stead at.....
.....on the.....day after the
service thereof, at the hour of.....in the.....noon,
to show cause why an order should not be made against you, to pay
to the support of your.....such weekly sum not ex-
ceeding twenty dollars (\$20) as may be considered to be in accord-
ance with your means and with the means of your said.....
and with the means of your said family, if any.

Given under.....hand }
and seal this..... }
.....day of.....19 }

ORDER—FORM "A."

THE PARENTS MAINTENANCE ACT, 1921.

To.....

Of.....

City
District } Of.....
County }

Upon reading the summons dated the.....
day of.....19, issued by.....
.....police magistrate for.....or justices of
the peace for.....upon the application of
.....under the provisions of *The Parents*
Maintenance Act, 1921, and upon hearing all the parties thereto,
and the evidence adduced, and it appearing that the said.....
.....is entitled to the protection and benefit
of the said Act:

I, or we, the undersigned, do hereby order that the said does
hereafter pay to his, or her.....
the sum of \$..... per week, or month, for his, or her, support,
the first payment to be made on the day of.....19....
together with the costs of these proceedings, which amount to
\$....., which shall be paid on or before the.....
day of 19...

Given under.....hand }
and seal this..... }
.....day of.....19 }

No. 177.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to provide for the Maintenance
of Parents by Their Children.

1st Reading,	16th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

*(Reprinted as amended by the Legal
Committee.)*

Mr. McNAMARA.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

BILL

An Act to license Billiard and Pool Rooms and Bowling Alleys.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts, as follows:—

1. Notwithstanding anything to the contrary in any other Act, the Lieutenant-Governor in Council may impose a license upon and make regulations for licensing and defining billiard and pool rooms and bowling alleys.

Power to license billiard and pool rooms and bowling alleys.

2. Every owner, lessee or manager of a billiard room, pool room or bowling alley shall pay in such manner as may be fixed by regulation to the Treasurer of Ontario an annual license fee not exceeding \$50 per annum for each table or alley in cities having a population of over fifty thousand, as ascertained by the last census of Canada, and not more than \$30 per annum for each table or alley in other cities in Ontario and not more than \$20 per annum for each table or alley in other municipalities in Ontario.

License fee.

3. No municipal corporation shall charge a greater license fee than the license fee fixed by regulations passed pursuant to this Act.

Municipal license fee not to be greater.

4. Every owner, lessee or manager of a billiard room, pool room or bowling alley shall make such returns to the treasurer as the Lieutenant-Governor in Council may by regulation require respecting the number of tables or alleys installed or located in such place.

Returns.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to License Billiard and Pool
Rooms and Bowling Alleys.

1st Reading,	17th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 400 of *The Municipal Act* is amended by inserting after paragraph 4*a* the following as paragraph 4*b*:—

Rev. Stat.
c. 192, s. 400,
amended.

- 4*b*. For prohibiting the use of any building for purposes for which it may be structurally unsuited or which from the size or strength of its walls, supports or floors may render the same dangerous and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.

Restriction
on use of
buildings
for purposes
for which
they are
structurally
unsuited.

No. 179.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading, 17th March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. THOMPSON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Registry Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Registry Amendment Act, 1921.* Short title.

2. Clauses 61 and 62 of Part 3 of Schedule "A" of the Registry Act are repealed and the following substituted therefor:— Rev. Stat., c. 124.

61. East Toronto consists of all that part of the City of Toronto lying east of the west limit of Spadina Avenue and Spadina Road, continued northerly to the northerly boundary of the City and southerly to the production easterly of a line drawn along the northerly face of the southerly retaining wall of the new Western Channel and thence westerly in a straight line along the said line to the south-westerly boundary of the City, the land on Spadina Avenue formerly occupied by Knox College, and the Islands constituting the southerly part of the said City. Schedule "A," Part III, cls. 61, 62, amended.

62. West Toronto consists of all that part of the said City lying westerly and northerly of the limits of East Toronto, as defined in Clause 61 in Section 2 hereof.

3. The registrations of all instruments in the offices of the Registry Divisions as defined in the previous section are hereby confirmed and declared to be valid and binding. Validity of registrations.

No. 180.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Registry Act.

1st Reading, 18th March,	1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. O'NEILL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Burlington Beach Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 5 of section 10 of *The Burlington Beach Act* is amended by striking out the words "or company" in the eighth line thereof and inserting in lieu thereof "company or municipal corporation" and by adding at the end of the said subsection the following words: "The Corporation of the City of Hamilton may pass by-laws for entering into contracts for the supplying of water, light, heat, or power to the Burlington Beach or the residents therein, and for doing all things necessary for the carrying out of such purposes, upon such terms as may be satisfactory to the council of the said Corporation of the City of Hamilton."

Rev. Stat.,
c. 53, s. 10,
subs. 5,
amended.

Contracts
for works
or im-
provements.

Contract
with City
of Hamilton
for public
utilities.

2. Section 10 of *The Burlington Beach Act* is amended by adding thereto the following subsection:—

Rev. Stat.,
c. 55, s. 10,
amended.

(7) The commission is further invested with all necessary powers enabling them to construct and maintain a main or mains and all necessary works connecting the Beach pump-house of the Corporation of the City of Hamilton with the distributing mains of the Burlington Beach Commission, and for this purpose to enter and go over and upon the intermediate grounds and lands, and the same to cut and dig up if necessary and to lay down the said pipes and mains through the same and upon, over, under and through the highways, railroads and roads of and in the townships of the County of Wentworth necessary for such purpose, and in, upon, through or under the lands, grounds and premises of any person or persons, bodies corporate, politic or collegiate whatsoever, and to

Powers as
to water-
works; con-
nections
with city.

set out for the aforesaid use and occupancy, such part or parts thereof as they the said commissioners shall think necessary and proper, and for the making and maintaining of the said works or for taking up, moving, altering or repairing the same, and for further distributing water to the inhabitants of Burlington Beach, or for the uses of the Burlington Beach Commission, and for this purpose to sink and lay down mains, pipes, conveniences and other works, and from time to time to alter all or any of the said works, as well in the position as in the construction thereof, as to the said commissioners or their successors shall seem meet, doing as little damage as may be in the execution of the powers hereto granted to them, and making reasonable and adequate satisfaction to the proprietors.

Rev. Stat.,
c. 53, s. 11,
subs. 1,
amended.

Borrowing
for
waterworks
purposes.

3. Subsection 1 of section 11 of *The Burlington Beach Act* is amended by adding at the end thereof the following words: "and may raise by loan a further sum in an amount to be approved by the Minister of Lands and Forests for the purpose of constructing, building, purchasing, improving, extending, holding, maintaining, managing and conducting waterworks and all buildings, materials, machinery and appurtenances thereto belonging and other permanent works for the proposed waterworks system of the commission."

Rev. Stat.,
c. 53, s. 19,
subs. 2,
repealed.

4. Subsection 2 of section 19 of *The Burlington Beach Act* is repealed.

No. 181.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Burlington Beach
Act.

1st Reading.	22nd March, 1921.
2nd Reading.	1921.
3rd Reading.	1921

Mr. BOWMAN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Statute of Frauds.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 13 of *The Statute of Frauds* as enacted by 1916, c. 24, section 19 of *The Statute Law Amendment Act, 1916*, and as amended by section 58 of *The Statute Law Amendment Act, 1918*, is amended by adding the following subsection thereto:—

- (3) Subsection 1 of section 13 shall not apply to a city in which a real estate exchange or board has been established; but no action shall be brought to charge any person for the payment of a commission or other remuneration for the sale of real property in such city unless the person charged has authorized the sale at a price equal to or less than the price obtained, and the person claiming payment is the person authorized to sell and the amount claimed is the customary commission on the sale of real property as fixed by such real estate exchange or board, or the agreement to pay a larger or additional commission is in writing signed by the person charged or his agent thereunto lawfully authorized and the sale conforms in all respects, including the employment of the agent, and the services rendered by him, to the rules and regulations of such real estate exchange or board.
- Requirements as to claims for commission on sale of real estate in city where real estate exchange established.

No. 182.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Statute of Frauds.

1st Reading, 22nd March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. BRACKIN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Statute Labour Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Statute Labour Act* is amended by adding the following as section 31a:—

Rev. Stat.,
c. 196,
amended.

31a. The commissioners may by resolution direct that a sum not exceeding the rate per day mentioned in section 31 shall be paid as commutation of statute labour for a whole or any part of such township, in which case the commutation tax shall be entered in the book directed to be kept in section 34 of this Act; provided that where such commutation is to apply to a part only of such township, the commissioners shall expend all commutation money upon the roads on which the labour which is commuted for should have been performed.

No. 183.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Statute Labour Act.

1st Reading.	22nd March.	1921.
2nd Reading.		1921.
3rd Reading.		1921.

Mr. ROWMAN.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Statute Labour Act.


HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Statute Labour Act* is amended by adding the following as section 31a:—

Rev. Stat.,
c. 196,
amended.



31a.—(1) The commissioners may by resolution direct that a sum not exceeding \$3 per diem shall be paid as commutation of statute labour for the whole of the township; provided however, that such resolution shall not take effect until the same has been submitted to and sanctioned by the majority of the land holders present at the annual meeting or at a special meeting called in the manner provided for in this Act for the election of commissioners.

(2) The name of every person liable for the payment of the commutation shall be entered in the book directed to be kept by section 34, and the commissioners shall expend all commutation monies received on the roads upon which the labour which is commuted for should have been performed. 

No. 183.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Statute Labour Act.

1st Reading, 22nd March, 1921.
2nd Reading, 8th April, 1921.
3rd Reading, 1921.

(Reprinted with amendments for consideration by Committee of the Whole House.)

Mr. BOWMAN.

TORONTO:

PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 184.

1921.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 101 of *The Municipal Act* is amended by striking out the word “nine” in the second line thereof and inserting in lieu thereof the word “eight” and by striking out the word “five” in the third line thereof and inserting in lieu thereof the word “six.”

Rev. Stat.,
c. 192,
s. 1 (1),
amended.

Hours of
polling.

No. 184.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	22nd March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. GRAY.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Lands Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Lands Amendment Act, 1921*. Short title.

2. Section 38 of *The Public Lands Act* is amended by adding thereto the following subsection:— Rev. Stat.,
c. 28, s. 38,
amended.

(6) Notwithstanding anything contained in this Act, where a person, who, by location or purchase, had acquired land under Part II, and subsequently served in His Majesty's forces or any of the Allied armies during the Great War, and thereby was absent from the land, and prevented from actually residing thereon until after his discharge from the army, the absence so caused shall not be deemed a cessation of settlement duties in respect of clearing and cultivating a minimum of two acres in each of the first three years next after the date of location as required by clause (a), nor of residence as required by clause (c); provided nevertheless that the full settlement duties in respect of clearance and cultivation, and the erection of a house, shall be performed. Settlement
duties on
free grants
where
locatee
served in
Great War.

3. *The Public Lands Act* is amended by adding thereto the following section:— Rev. Stat.,
c. 28,
amended.

60.—(1) Except with the consent in writing of the Minister, public lands, which have been purchased under Part I of this Act, shall not, before the issue of Letters Patent, be alienated, mortgaged, or charged, either voluntarily or in- Restraint on
alienation
of rights in
unpatented
lands.

voluntarily, except by devise, or intestacy, or sale under the authority of any Act of the Legislative Assembly of Ontario, relating to taxation or statute labor.

Lands not
to be liable
for debts
incurred
before
patent.

- (2) Neither said lands, nor any interest or right therein of the purchaser or assignee thereof, shall, in any event, be, or become, liable for the satisfaction of any debt or liability contracted or incurred, before the issue of Letters Patent, by the said purchaser, his widow, heirs, devisees or assignees.

No. 185.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the Public Lands Act.

1st Reading, 22nd March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. BOWMAN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Natural Gas.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Natural Gas Conservation Act, 1921.* Short title.

2. In this Act:—

Interpreta-
tion.

(a) "Minister" shall mean the Minister of Mines. "Minister."

(b) "Referee" shall mean the Referee appointed under the provisions of *The Municipal Drainage Act.* "Referee."

(c) "Commissioner" shall mean the Natural Gas Commissioner to be appointed under the provisions of this Act. "Commissioner."

3.—(1) The Minister shall control and regulate the production, transmission, distribution, sale and disposal and consumption of all natural gas produced in Ontario, and for that purpose shall have and may exercise the powers and duties hereinafter set forth. The Referee shall have and may exercise the original jurisdiction provided by section 6 of this Act as well as the Appellate jurisdiction hereinafter set forth. Each shall have due regard to the provisions of any general or special Act or Letters Patent, or any agreement, franchise, bargain or arrangement whatsoever and by and between whomsoever made, but he shall have power to depart from or vary such provisions where he finds by enquiry that such action is necessary for conserving the supply or prolonging the service to consumers or furthering the search for in development of new sources of supply of natural gas. Powers of
Minister
and
Referee.

Obedience
to orders of
Minister
or Referee
to be a good
defence.

(2) It shall be a good and sufficient defence to any action or other proceeding brought or taken against any person producing, transmitting, distributing or selling natural gas that such person so far as regards the act or omission which is the subject of such action or other proceeding has conducted the production, transmission, distribution or sale of natural gas in accordance with the order or direction of the Minister or Referee, but no order shall be made which shall have the effect of destroying or suspending or limiting the contractual rights of any person or persons, company or corporation without such notice as the Minister or Referee may deem proper, having first been given to such person or persons, company or corporation, and without their being given a reasonable opportunity to present their claims to the Minister or Referee.

General
powers of
Minister
as to orders
and
regulations.

4. The Minister shall make such orders or regulations and give such directions from time to time as he may deem proper for the due conservation of the supply of natural gas in Ontario and its transmission to and distribution in such localities and to such consumers, for such periods and at such times as, in the opinion of the Minister, may best serve the general public and particularly the users and consumers of natural gas for domestic purposes.

Orders and
regulations.

5. The Minister may make orders or regulations for:—

- (a) The closing and cutting off of the supply of natural gas to any corporation, company or individual;
- (b) The construction, alteration or use of any works, machinery, plant, or appliance in and for the development, production, transmission, supply, distribution or consumption of natural gas;
- (c) The cutting off of the supply to consumers generally, or to any consumer or consumers in any locality for such periods or at such times as he may deem proper;
- (d) The limiting or restricting or taking away any right conferred upon any person to the use and consumption of natural gas without charge for the payment of such compensation to such person as he may deem proper in respect of such limitation, restriction or taking away;
- (e) The allotting or supplying of gas to consumers or persons generally or to any consumer or consumers, person or persons in any locality for such periods or at such times as he may deem proper;

- (f) The closing down and stopping up of any natural gas well or any works for the production, transmission, distribution or supply of natural gas;
- (g) Requiring returns to be made by any person producing, transmitting or distributing natural gas and for prescribing the form of any such return, the particulars to be included therein and the intervals at which such returns shall be made;
- (h) The appointment of such officers, agents, servants or workmen as may be necessary to carry out and enforce any order made by him under this Act;
- (i) Compelling the installation of such appliances by consumers of natural gas, as he may deem requisite for preventing waste;
- (j) Generally for the better carrying out of the objects and purposes of this Act.

6. The Referee may make orders for:—

**Jurisdiction
of Referee.**

- (a) Fixing rates to be charged for natural gas;
- (b) Compelling the owner, lessee or licensee of a pipeline to take gas produced by any person or corporation at such price, in such quantities and on such terms as may be fixed by the Referee.

7. Licenses may be issued by the Minister upon such **Licenses.** terms, and subject to such conditions, and upon the payment of such fees as the Minister may prescribe, to persons for boring, prospecting for, transmitting or distributing natural gas, and no person, whether or not he is the holder of a license, lease or permit from any person or authority other than the Minister, shall bore or prospect for, produce, transmit or distribute natural gas in Ontario, who is not the holder of a license from the Minister permitting him so to do.

8. The Lieutenant-Governor in Council may appoint an **Commissioner.** officer to be known as the Natural Gas Commissioner.

9. The Lieutenant-Governor in Council may make orders **Remuneration and expenses.** providing for the remuneration and expenses of the Referee, Commissioner, officers, agents, servants or workmen in the administration of this Act.

10. The Minister may delegate to the Commissioner any **Delegation of powers of Minister.** of the powers and duties which are exercisable by or conferred upon him by this Act.

Actions not
to lie for
things
done under
Act.

11. No action or other proceeding shall lie against the Referee, Commissioner or any officer, agent, servant or workman for anything done, or purporting to be done under, or in pursuance of the provisions of this Act.

Power as
to lands
and works.

12. In the exercise of the powers conferred by this Act the Minister or the Commissioner by himself, or the officers, agents, servants, or workmen of the Department of Mines, or by any other person authorized by the Minister or Commissioner, may at any time:—

- (a) Enter upon, pass over, take up or use any private property or the property of any municipal corporation or of the Crown, or any public place or highway;
- (b) Construct, instal, lay down and set up or remove, take up, take down, alter or repair any works, plant, machinery or appliance used in the development, production, transmission, supply, distribution or consumption of natural gas,

and where any person has refused or neglected to do anything prescribed by the order of the Minister or by the Regulations, the Minister may cause such thing to be done, and the expenses so incurred shall, when certified by the Minister in writing, signed by him, be a debt due from such person to the Crown and shall be recoverable with costs by action in any court of competent jurisdiction.

Appeal to
Referee.

13.—(1) Any person affected by any decision made or by any act or thing done, or refused or neglected to be done, under the provisions of this Act, may appeal to the Referee, who shall decide the matter and make such order in the premises as he may deem just.

Hearing.

(2) Upon any such appeal, the Referee may require or admit new or additional evidence, or may rehear the matter.

Powers of
Referee.

14. The Referee may review, rescind, change, alter or vary any decision or order made by himself or any person acting under the authority of this Act.

Stated case.

15.—(1) The Referee may sign and state a case for the opinion of the Appellate Division of the Supreme Court of Ontario upon any question of jurisdiction or of law arising before him.

Amendment
of
stated case.

(2) The said Appellate Division may, if it thinks fit before giving such opinion, return any such case to the

Referee for amendment and the Referee may amend the same accordingly.

(3) The said Appellate Division shall hear and determine the question or questions in respect of which such case has been stated, and shall remit the same to the Referee with the opinion of the Court thereon, and the Referee shall be bound by and shall act upon such opinion. Argument and decision in a stated case.

(4) Any party to the proceedings before the Referee may set down such stated case for hearing upon giving ten days' notice to the other party or parties thereto, and at the time of such setting down shall file such notice with proof of service and five copies of such stated case. The Referee at the request of any such party shall transmit to the central office at Osgoode Hall such papers and documents in his possession as he may deem necessary for the determination of the question or questions submitted. Procedure.

16. Save as provided in section 14, every decision or order of the Referee shall be final and shall not be questioned or reviewed in any court. Finality of decision of Referee.

17.—(1) The costs of and incidental to any proceeding before the Referee shall be in his discretion and may be fixed in any case at a sum certain or may be taxed. Costs.

(2) The Referee may order by whom and to whom any costs are to be paid and by whom the same are to be taxed and allowed. Order for payment of costs.

(3) The Referee may prescribe a scale under which such costs shall be taxed. Scale of costs.

(4) In matters of practice and procedure, the Referee shall have and exercise all the powers conferred upon him by *The Municipal Drainage Act*. Practice.

18.—(1) Every person who:—

- (a) Refuses or neglects to obey any order or direction made or purporting to be made under the authority of this Act after notice of such order or direction; or Offences and penalties.
- (b) Hinders, delays or obstructs any person in carrying out the provisions of this Act; or
- (c) Wastes or causes to be wasted any natural gas; or

(d) Tamper or interferes with any meter, stop-cock, cut-offs or any other matter or thing placed or used or installed by or under the authority of this Act,

shall be guilty of an offence and shall incur a penalty not exceeding \$2,000 and not less than \$10, and shall in default of the payment thereof be imprisoned for a period not exceeding six months.

Application
of Rev.
Stat., c. 90.

(2) *The Ontario Summary Convictions Act* shall apply to prosecutions for offences under this Act.

Jurisdiction
of Railway
and
Municipal
Board
excluded.

19. Notwithstanding the provisions of *The Ontario Railway and Municipal Board Act*, works for the production, transmission and supply of natural gas shall not be deemed to be public utilities so as to give the Ontario Railway and Municipal Board any jurisdiction respecting the same.

1919, c. 13,
repealed.

20. *The Natural Gas Act, 1919*, is hereby repealed, but such repeal shall not affect any regulation or order heretofore made by the Ontario Railway and Municipal Board or by the Minister of Mines or by the commissioner under the said Act until the Minister or Referee shall by an order made by him under the authority of this Act, declare such regulation or order no longer in force.

Power to
administer
oaths.

21. In any matter arising under this Act, the commissioner may administer an oath and may take an affidavit, statutory declaration or evidence under oath in any part of Ontario.

Commence-
ment of Act.

22. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 186.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Natural Gas.

1st Reading,	22nd March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. MILLS.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Long Point Park.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Long Point Park Act*,^{Short title.}
1921.

2.—(1) The Lieutenant-Governor in Council may^{Board of}
appoint a board of commissioners composed of three persons,^{Com-}
of whom the reeve of the Village of Port Rowan shall, by^{missioners.}
virtue of his office, be one, which board shall be a body corporate by the name of "The Long Point Park Commission."

(2) With the exception of the said reeve, the members of^{Tenure}
the board shall hold office during pleasure of the Lieutenant-^{of office.}
Governor in Council.

(3) The commissioners shall receive such compensation^{Compensa-}
as shall be fixed by order of the Lieutenant-Governor in^{tion.}
Council.

(4) The commissioners shall, at the first meeting of the^{Chairman}
commission in each year, elect one of their members as chair-^{and}
man, and shall appoint a secretary, who, for the purposes^{secretary.}
of this Act, shall possess all the rights and powers and perform all the duties that pertain respectively to the office of reeve and clerk and treasurer of a village, and with such other rights, powers and duties as from time to time may be prescribed by said board of commissioners.

3. The tracts of land, marsh land, and land covered by^{Park}
water hereinafter mentioned, that is to say: All that parcel^{vested}
or tract of land and marsh land in the Township of South^{in Com-}
Walsingham bounded on the south by the waters of Lake^{mission.}
Erie, on the north by the waters of Inner Long Point Bay,
on the east by the lands now owned by the Long Point Com-

pany, and on the west by the lands now owned by the Toronto Big Creek Shooting Company, containing an area of four hundred and twenty acres, more or less, together with all ungranted portions of the marsh and other lands lying in front of lots numbers 14 to 24, both inclusive, and in front of the road allowance between lots numbers 18 and 19, in the broken front concession of the Township of South Walsingham, and the land covered by the waters of Inner Long Point Bay lying south of a line drawn east astronomically from the centre of the mouth of the present outlet of Big Creek, formerly known as the Port Rowan ship canal, to the point of intersection of said line with a line drawn north astronomically from the most westerly point of block "C" of the lands of the Long Point Company, including any islands lying within that area, is hereby vested and set apart as a park, forest reservation and health resort for the benefit, advantage, and enjoyment of the people of Ontario, and shall be known as "The Long Point Park."

Board to enquire into present leases and contracts.

4. It shall be the duty of the commission, and it shall have power, to inquire into and ascertain the facts concerning all leases, and all other contracts or agreements, to, or with persons, in reference to any of the lands in said Long Point Park, the names of the persons holding the same, the amounts of rents reserved or other payments provided for in the same, the terms and conditions under which such agreements or leases are made, and also other particulars in connection with the same.

Collection of arrears of rent.

5. The commission shall have power to demand, collect and receive from any person in occupation or use of the lands in the Long Point Park under any present or future lease, contract or agreement, any money due or unpaid, for rent, or otherwise in respect thereof.

Powers of Commission.

6. Subject to any direction of the Lieutenant-Governor in Council, the commission shall have power—

(a) To lease, purchase, or otherwise acquire, and to construct, and operate boats, vessels, motor cars and other means of transportation to be used in connection with the Long Point Park.

(b) To pull down all houses or other erections, or buildings on said lands, or such of them, or such part of them, as the commission may think proper to be pulled down, and to sell, or otherwise dispose of, or make use of, the material of the houses and other erections and buildings thus taken down and removed, or otherwise disposed of, or made use of;

- (c) To erect wharves, houses, and other erections, buildings and structures on said lands, and the same and all other wharves, houses and other erections, buildings and structures, with their appurtenances, which now are or hereafter may be upon said lands, to lease or sublet to applicants therefor;
- (d) To lay out, build, improve, develop and enclose the park in such manner as it thinks fit;
- (e) To demand, collect and receive tolls, rents, taxes, or other charges or money for the use of lands, buildings, erections, structures, appliances, vessels, means of transportation, or works made, built or used, in, or in connection with, the operation of the Long Point Park, as well as for services rendered or to be rendered for the convenience or accommodation of visitors, and to expend so much of the money received therefrom as may in the opinion of the commission be necessary or expedient, in beautifying or otherwise improving the same as a park and place of public resort, and for all other purposes authorized by this Act, and, whenever required by an order of the Lieutenant-Governor in Council so to do, to remit to the Treasurer of Ontario any surplus remaining in the hands of said commission.

7. The commission may appoint one or more constables, ^{Constables.} who shall have the same powers and perform the same duties in the Long Point Park as the constables appointed by the council of a village.

8.—(1) The commission shall, within the Long Point ^{By-laws.} Park, have all the powers conferred by *The Municipal Act* on the councils of towns, townships, villages, or cities having a population of not less than 100,000, or on the board of commissioners of police in cities having a population of not less than 100,000.

9. After the passing of any by-law no general by-law of ^{Effect of by-laws of Commission.} the Township of South Walsingham for any of the purposes provided for by such by-law shall apply.

10. The commission may also make regulations and pass ^{Sidewalks, roads, culverts, drains, etc} by-laws for letting contracts, or employing labour, or purchasing material for making roads, buildings, sidewalks and culverts, putting in drains, planting trees, and otherwise improving and beautifying the Long Point Park as a park

and place of public resort, and doing all things necessary for such purposes, and the commission may pass by-laws for entering into, and may enter into, contracts for the supply of water, light or heat by any person or company to the Long Point Park or the residents therein, and doing all things necessary for such purposes within the limits of the Long Point Park.

Other regulations.

Park to be open to public.

11. The commission may also make such other regulations and pass such by-laws for the proper government of the Long Point Park as may be approved by the Lieutenant-Governor in Council, and, subject to such regulations and by-laws, said park shall be open to the public.

Application of Rev. Stat., c. 204.

12. The provisions of *The Public Utilities Act*, except where inconsistent with the provisions of this Act, shall apply to the commission.

Authentication of by-laws.

13. By-laws passed by the commission shall be authenticated by the signature of the chairman and secretary and the seal of the corporation, and a copy of any such by-law so authenticated shall have the same force and effect as a copy of a municipal by-law duly certified in the manner provided by *The Municipal Act*.

Penalties for violation of by-laws.

14.—(1) The commission may in any by-law provide that anyone contravening the by-laws shall incur a penalty not exceeding one hundred dollars (\$100) or be liable to imprisonment for a term not exceeding sixty days, and such penalty may be enforced by any justice of the peace having jurisdiction within the County of Norfolk.

Application of Rev. Stat., c. 90.

(2) *The Ontario Summary Convictions Act* shall apply to every such prosecution under any such by-law.

Application of license fees and penalties.

15. All sums collected for license fees or for penalties for offences against any by-law passed by the commission shall be paid over to the commission.

Repair and maintenance of highways.

16. It shall be the duty of the commission to keep the highways in the Long Point Park in proper repair.

Power to borrow to amount of \$25,000.

17.—(1) The commission may raise by loan the sum of twenty-five thousand dollars (\$25,000) for the purpose of constructing, building, leasing, purchasing, improving, extending, holding, maintaining, managing and conducting waterworks and all buildings, material, machinery and appliances thereto belonging, and other permanent works

for a waterworks system of the commission, and for enlarging and improving the Long Point Park, and for all other purposes and objects intended to be secured by this Act.

(2) The commission may pass by-laws for contracting debts for any of such purposes by borrowing money, and for issuing debentures therefor, and it shall not be necessary to levy any special rate therefor. By-laws for borrowing.

(3) The whole debt and the debentures to be issued therefor shall be made payable in thirty years at furthest from the time or times when the debentures are issued. Term of debt.

(4) The amount falling due for principal and interest in each year on account of such debentures shall be payable out of the general revenues of the commission. Provision for payment.

(5) The holder of every debenture or other obligation issued under the authority of this Act shall have a preferential charge or lien on the revenues of the commission, and the commission shall pay such debts in priority to all other debts. Security of debenture-holders.

18. No by-law or regulation, and no tariff of tolls, rents or other charges or payment to the commission for the use of works, vessels, or of services, shall be acted upon or effective until approved of by the Lieutenant-Governor in Council. Approval of by-laws, etc.

19. The commission may provide for the assessment of all lands situate within the Long Point Park, and, as to said assessment, and for the collection of all monies due from the owners or occupants of such land, shall perform and possess all the duties and powers provided for by *The Assessment Act* and *The Ontario Voters' Lists Act*, in the case of clerks, assessors and collectors in townships; and may expend money so collected for the purposes hereinbefore set forth, and for such other purposes as may from time to time be approved by the Lieutenant-Governor in Council. Assessment and taxation. Rev. Stat., c. 195. Rev. Stat., c. 6.

20. The commission shall have power to employ such officers, workmen and other persons as may be deemed necessary for the purposes of this Act, the salaries, wages or other compensation of which officers, workmen and other persons shall be payable out of the funds of the commission. Employment of officers, workmen, etc.

21.—(1) The commission shall cause books to be provided and true and accurate accounts to be entered therein of all sums of money received and paid out and for the several purposes for which the same were received and paid out; Books and accounts.

and such books shall be at all times open to the inspection of the Treasurer of Ontario, and of any person appointed by him or by the Lieutenant-Governor in Council, or by a majority of the ratepayers in the Long Point Park, for such purposes, and any such person may take copies or extracts from such books.

Application
of Rev.
Stat., c. 23,
ss. 11, 31, 34.

(2) Sections 11, 31 and 34 of *The Audit Act* shall apply to the accounts of the commissioners in respect of receipts and expenditures.

Annual
report.

22. On or before the 1st day of December in each year the commission shall report to the Lieutenant-Governor in Council the receipts and expenditures of the year and such other matters as may appear to it to be of public interest in relation to the government of the Long Point Park, or to anything arising out of this Act and shall in all cases supply to the Lieutenant-Governor in Council such information relating thereto as he may direct.

Actions
against
Com-
mission.

23. Without the authority of the Lieutenant-Governor in Council no action shall be brought against the commissioners personally for anything done or omitted to be done under this Act.

Separation
from
South Wals-
ingham.

24. For municipal or school purposes the Long Point Park shall be deemed to be separated from and shall not form part of the Township of South Walsingham or of the County of Norfolk, and shall cease to be subject to the jurisdiction thereof except for judicial purposes.

Municipali-
ties relieved
as to
liability for
non-repair
of
highways.

25. No action shall be maintainable against the corporation of the County of Norfolk or the corporation of the Township of South Walsingham by reason of the non-repair of the highways, streets, sidewalks or bridges in the Long Point Park, or by reason of any misfeasance or nonfeasance in relation to them.

Elections to
Legislative
Assembly.

26. For purposes of election to the Legislative Assembly the Long Point Park shall be and remain a portion of the Township of South Walsingham, and all persons in the Long Point Park possessing the necessary qualifications shall be entitled to be placed on the voters' lists of that township; and for such purposes the commission shall, annually, before the 15th day of July, prepare and furnish to the clerk of said township a list of persons so qualified and, for the information of the clerk of said township, shall furnish all particulars required in preparing the lists under *The Ontario Voters' Lists Act*.

Voters'
lists.

27. For all judicial purposes the Long Point Park shall ^{Judicial} be and remain a portion of the County of Norfolk. ^{purposes.}

28. The commission may make regulations as to the ^{Regulations} shooting, hunting, taking, or killing in the Long Point Park, ^{as to} and on the waters of Lake Erie adjacent to the said park, ^{game, etc.} the southerly side thereof extending into said lake a distance of 10 chains from shore, and within all that portion of Inner Long Point Bay lying to the west of block "C" of the lands of the Long Point Company, and of a line drawn northerly from the most westerly point of said block "C" to the point in which the centre line of the town line road allowance between South Walsingham and Charlotteville Townships intersects the northerly shore of the said bay. of any bird or animal protected by the provisions of *The* ^{Rev. Stat.,} *Provincial Parks Act.* ^{c. 52.}

No. 187.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Long Point Park.

1st Reading, 22nd March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. BOWMAN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to incorporate Niagara Peninsula Growers, Limited

WHEREAS a petition has been presented praying for ^{Preamble.}
the incorporation of a company for the purpose of
promoting the fruit-growing industry in the Niagara Penin-
sula, and that it be enacted as hereinafter set forth; and it
is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Arthur Adam Craise of the Township of Louth in the ^{Incorporation.}
County of Lincoln, Fruitgrower; Arthur Wesley Smith of
the Township of Clinton in the County of Lincoln, Fruit-
grower; Henry Thompson Foster of the Township of Nelson
in the County of Halton, Fruitgrower; David Hunter of the
Township of North Grimsby in the County of Lincoln,
Fruitgrower; James Bradford Fairbairn of the Township of
Clinton in the County of Lincoln, Fruitgrower; John Pettit
Bridgman of the Township of Saltfleet in the County of
Wentworth, Fruitgrower, and George Collins Brown of the
Township of Pelham in the County of Welland, Fruitgrower,
and such other persons as become shareholders in the com-
pany hereby incorporated, are hereby constituted a body
corporate and politic under the name of "Niagara Peninsula
Growers, Limited," hereinafter called the company.

2. The persons named in section 1 of this Act shall be <sup>Provisional
directors:</sup>
the provisional directors of the company, a majority of whom <sup>majority
to form
quorum.</sup>
shall form a quorum for the transaction of business.

3. The head office of the company shall be at the Village ^{Head office.}
of Winona in the County of Wentworth, but the directors
may establish other offices and places of business elsewhere.
The location of the head office may be changed by a majority
vote of the shareholders of the company, present or repre-
sented by proxy at a meeting duly called for considering the

same. Meetings of the company shall be held at the head office, or at such other place or places in Ontario as the directors from time to time may decide.

Capital stock.

4. The capital stock of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each.

Qualification of shareholders.

5. Those persons only who are fruitgrowers or owners or lessees of fruit farms, and whose applications to become shareholders of the company are approved by the directors, shall be eligible to hold shares in the company; provided, however, that shares may be allotted to any person not a fruitgrower or the owner or lessee of a fruit farm on resolution passed by a vote of two-thirds of all the directors of the company.

Power to pass by-laws.

6. The company may pass by-laws, rules and regulations governing the conduct of the affairs of the company, applications for shares, withdrawal, suspension and expulsion of shareholders of the company, bases and conditions upon which shares may be purchased or allotted, the rights, privileges, duties and obligations of the shareholders in respect of shares held by them, and of contracts, undertakings or engagements entered into by the shareholders with the company for the sale, delivery, marketing, grading, handling and otherwise of all and any fruits grown, produced, manufactured or otherwise dealt in by the shareholders, and the terms, conditions and stipulations thereof; and, from time to time, repeal, amend and vary such by-laws, rules and regulations.

Form of stock certificate.

7. Stock certificates for shares, or interim receipts for subscriptions therefor, shall be in such form, and be subject to such conditions and restrictions as to ownership, sale, transfer or otherwise, as the by-laws of the company may provide.

Shares: voting by proxy.

8. No shareholder of the company may hold or own more than five shares in the capital of the company; and no shareholder may hold more than two proxies at any meeting of the company.

Power of directors to define areas within Niagara Peninsula.

9. For the purposes of the company the directors may pass by-laws to divide the Niagara Peninsula, and other territory in Ontario which may come within the sphere of its operations, into divisions, and to define the number, area and names of such divisions, and may, from time to time, by by-law, repeal, amend or vary the extent, number, area and names of such divisions and the by-laws governing the same.

10. After such divisions are created every shareholder shall elect by notice in writing to the company to which division he shall be assigned and belong; and the directors may pass by-laws, rules and regulations governing such divisions, the shareholders thereof, meetings therefor, marketing and shipments therein and therefrom, and for the doing of all things needful to insure the carrying out of the purposes of the company; and, from time to time, to repeal, amend or vary such by-laws, rules and regulations.

Each shareholder to elect division to which he desires to be assigned; power of directors to regulate same.

11. The objects or purposes of the company shall be as follows:

Objects of company.

- (a) To carry on the businesses of fruitgrowing and farming in all their branches;
- (b) To produce, buy, sell and deal in fruit and vegetables, and to carry on the business of wholesale and retail fruit, vegetables and farm produce, merchants, shippers, brokers, importers, exporters, producers, distributors, commission agents, dealers and traders;
- (c) To manufacture, buy, sell, produce, ship, import, export, market, trade and deal in all kinds of canned goods, jams, marmalades, jellies, preserves, pickles, syrups, essences, extracts, condiments, sauces, relishes, table delicacies, provisions, grocers' sundries and supplies, prepared foods, meats, fowl, game, fish, cured fruits and vegetables, dried, aerated and evaporated fruits and vegetables, dairy produce, grain and cereal produce, and all other products of the field, farm, orchard, garden and forest;
- (d) To manufacture, buy, sell and deal in ice, and to carry on the businesses of cold storage and refrigerator plants;
- (e) To buy, sell and otherwise deal in goods, wares and merchandise, and to carry on general trade, commission merchant's and factor's businesses therein;
- (f) To manufacture, produce, grow, buy, lease, sell and otherwise acquire, deal in and dispose of all machinery, tools, implements, apparatus, baskets, boxes, crates, barrels, packages, supplies, live stock, fuel, seed, grain, trees, shrubs, plants, nursery stock and generally all classes of articles, goods, wares, merchandise, produce and sup-

Fruit-growing and farming.

Purchase and sale of produce.

Canned goods and other products.

Manufacture of ice; refrigerator plant, etc.

General trade.

Machinery, baskets, and general supplies.

plies which may be used in the manufacture, production, marketing, disposal and shipping of products of the farm and fruit farm, and all articles, substances and things which may be utilized in such production, or in the maintenance, cultivation, improvement and development of farms and fruit farms;

Stores:
wholesale
and retail.

(g) To establish stores, depots and agencies for the purposes of the company, and to carry on the business of general storekeepers in all its branches, both wholesale and retail;

Lands.

(h) To acquire by purchase, lease, exchange or otherwise, and to hold, develop, rent, sell, convey, exchange, lease or otherwise dispose of and generally deal in lands and real estate of all and every kind and description;

Telephone.

(i) Subject to the provisions of *The Ontario Telephone Act* and amendments thereto, to carry on the business of a telephone company for the purposes of the company, and to construct, maintain and operate such telephone system.

Consolidation.

(j) To consolidate or amalgamate with any other company having objects similar in whole or in part to those of the company;

Expenses.

(k) To pay all expenses incurred in promoting the company, or which may be preliminary thereto.

Powers of company.

12. For the objects and purposes set forth in section 11, the company may exercise and do all such powers and things as may be necessary, incidental or conducive to the attainments thereof, and may exercise all and any of the powers incidental or ancillary to a company under *The Ontario Companies Act* and amendments thereto.

Rev. Stat.,
c. 178.

Powers of directors:

13.—(1) The directors of the company may make by-laws for:

To borrow money.

(a) Borrowing money;

To issue bonds, etc.

(b) Issuing bonds, debentures, debenture stock, both perpetual and terminable, or other securities;

To sell bonds, etc.

(c) Pledging or selling such bonds, debentures or debenture stock, or other securities for such sum and at such prices as may be deemed expedient or be necessary.

(2) Nothing in this section shall limit or restrict the power of the company to borrow money on bills of exchange, promissory notes, bills of lading, warehouse receipts or other securities of a commercial nature issued in the ordinary course of business. Not to limit power to borrow on bills of exchange, etc.

14. No by-law for any of the purposes mentioned in the next preceding section shall take effect until it has been confirmed by a vote of shareholders present, or represented by proxy and holding not less than two-thirds of the issued capital stock represented at the meeting or by a vote of two-thirds of the members so present or represented, as the case may be, at a general meeting duly called for considering the same. Confirmation of by-laws of directors.

15. The company shall be managed by a board of directors, who shall be shareholders of the company, holding not less than one share therein, and the board shall consist of such number, and they shall be elected in such manner and hold office for such term, as the by-laws of the company may provide, but the board shall consist of not less than seven directors. Directors: qualification of, election, etc.

16. Subject to the provisions of this Act and of the by-laws of the company, the board of directors shall have full power to manage and carry on the affairs and undertakings of the company, and do and perform all acts, matters and things necessary therefor. Powers of directors.

17. The directors may pass by-laws to create reserve funds for the purposes of the company, and from time to time set apart any of the funds of the company as or towards the same. Reserve fund.

18. *The Ontario Companies Act* and amendments thereto shall, so far as the same are not inconsistent with the special provisions of this Act, apply to the company. Rev. Stat., c. 178, to apply.

No. 188.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to incorporate Niagara Peninsula
Growers, Limited.

1st Reading,	23rd March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

(*Private Bill.*)

MR. MARSHALL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

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promoting the fruit-growing industry in the Niagara Penin-
sula, and that it be enacted as hereinafter set forth; and it
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Bridgman of the Township of Saltfleet in the County of
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and such other persons as become shareholders in the com-
pany hereby incorporated, are hereby constituted a body
corporate and politic under the name of "Niagara Peninsula
Growers, Limited," hereinafter called the company.

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majority
to form
quorum.</sup>
the provisional directors of the company, a majority of whom
shall form a quorum for the transaction of business.

3. The head office of the company shall be at the Village ^{Head office.}
of Grimsby in the County of Wentworth, but the directors
may establish other offices and places of business elsewhere.
The location of the head office may be changed by a majority
vote of the shareholders of the company, present or repre-
sented by proxy at a meeting duly called for considering the

same. Meetings of the company shall be held at the head office, or at such other place or places in Ontario as the directors from time to time may decide.

Capital
stock.

4. The capital stock of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each.

Qualifica-
tion of
share-
holders.

5. Those persons only who are fruitgrowers or owners or lessees of fruit farms, and whose applications to become shareholders of the company are approved by the directors, shall be eligible to hold shares in the company; provided, however, that shares may be allotted to any person not a fruitgrower or the owner or lessee of a fruit farm on resolution passed by a vote of two-thirds of all the directors of the company.

Power
to pass
by-laws.

6. The company may pass by-laws, rules and regulations governing the conduct of the affairs of the company, applications for shares, withdrawal of shareholders of the company, bases and conditions upon which shares may be purchased or allotted, the rights, privileges, duties and obligations of the shareholders in respect of shares held by them, and of contracts, undertakings or engagements entered into by the shareholders with the company for the sale, delivery, marketing, grading, handling and otherwise of all and any fruits grown, produced, manufactured or otherwise dealt in by the shareholders, and the terms, conditions and stipulations thereof; and, from time to time, repeal, amend and vary such by-laws, rules and regulations.

Form of
stock
certificate.

7. Stock certificates for shares, or interim receipts for subscriptions therefor, shall be in such form, and be subject to such conditions and restrictions as to sale or transfer, as the by-laws of the company may provide.

Shares:
voting
by proxy.

8. No shareholder of the company may hold or own more than five shares in the capital of the company; and no shareholder may hold more than two proxies at any meeting of the company.

Power of
directors
to define
areas
within
Niagara
Peninsula.

9. For the purposes of the company the directors may pass by-laws to divide the Niagara Peninsula, and other territory in Ontario which may come within the sphere of its operations, into divisions, and to define the number, area and names of such divisions, and may, from time to time, by by-law, repeal, amend or vary the extent, number, area and names of such divisions and the by-laws governing the same.

10. After such divisions are created every shareholder shall elect by notice in writing to the company to which division he shall be assigned and belong; and the directors may pass by-laws, rules and regulations governing such divisions, the shareholders thereof, meetings therefor, marketing and shipments therein and therefrom, and for the doing of all things needful to insure the carrying out of the purposes of the company; and, from time to time, to repeal, amend or vary such by-laws, rules and regulations.

Each shareholder to elect division to which he desires to be assigned; power of directors to regulate same.

11. The objects or purposes of the company shall be as follows:

Objects of company

- (a) To carry on the businesses of fruitgrowing and farming in all their branches; Fruit-growing and farming.
- (b) To produce, buy, sell and deal in fruit and vegetables, and to carry on the business of wholesale and retail fruit, vegetables and farm produce, merchants, shippers, brokers, importers, exporters, producers, distributors, commission agents, dealers and traders; Purchase and sale of produce.
- (c) To manufacture, buy, sell, produce, ship, import, export, market, trade and deal in all kinds of canned goods, jams, marmalades, jellies, preserves, pickles, syrups, essences, extracts, condiments, sauces, relishes, table delicacies, provisions, grocers' sundries and supplies, prepared foods, meats, fowl, game, fish, cured fruits and vegetables, dried, aerated and evaporated fruits and vegetables, dairy produce, grain and cereal produce, and all other products of the field, farm, orchard, garden and forest; Canned goods and other products.
- (d) To manufacture, buy, sell and deal in ice, and to carry on the businesses of cold storage and refrigerator plants; Manufacture of ice; refrigerator plant, etc.
- (e) To buy, sell and otherwise deal in goods, wares and merchandise, and to carry on general trader's, commission merchant's and factor's businesses therein; General trade.
- (f) To manufacture, produce, grow, buy, lease, sell and otherwise acquire, deal in and dispose of all machinery, tools, implements, apparatus, baskets, boxes, crates, barrels, packages, supplies, live stock, fuel, seed, grain, trees, shrubs, plants, nursery stock and generally all classes of articles, goods, wares, merchandise, produce and sup- Machinery, baskets, and general supplies.

plies which may be used in the manufacture, production, marketing, disposal and shipping of products of the farm and fruit farm, and all articles, substances and things which may be utilized in such production, or in the maintenance, cultivation, improvement and development of farms and fruit farms;

Stores:
wholesale
and retail.

(g) To establish stores, depots and agencies for the purposes of the company, and to carry on the business of general storekeepers in all its branches, both wholesale and retail;

Lands.

(h) To acquire by purchase, lease, exchange or otherwise, and to hold, develop, rent, sell, convey, exchange, lease or otherwise dispose of land for the purposes of the company;

Telephone.

(i) Subject to provisions of *The Ontario Telephone Act* and amendments thereto, to construct, maintain and operate private telephone lines for the purposes of the company between the head office and any branch and divisional offices of the company.

Expenses.

(j) To pay all expenses incurred in promoting the company, or which may be preliminary thereto.

Powers of
company.

12. For the objects and purposes set forth in section 11, the company may exercise and do all such powers and things as may be necessary, incidental or conducive to the attainments thereof, and may exercise all and any of the powers incidental or ancillary to a company under *The Ontario Companies Act* and amendments thereto.

Rev. Stat.,
c. 178.

Powers of
directors:

13.—(1) The directors of the company may make by-laws for:

To borrow
money.

(a) Borrowing money;

To issue
bonds, etc.

(b) Issuing bonds, debentures, debenture stock, both perpetual and terminable, or other securities;

To sell
bonds, etc.

(c) Pledging or selling such bonds, debentures or debenture stock, or other securities for such sum and at such prices as may be deemed expedient or be necessary.

(2) Nothing in this section shall limit or restrict the power of the company to borrow money on bills of exchange, promissory notes, bills of lading, warehouse receipts or other securities of a commercial nature issued in the ordinary course of business. Not to limit power to borrow on bills of exchange, etc.

14. No by-law for any of the purposes mentioned in the next preceding section shall take effect until it has been confirmed by a vote of shareholders present or represented by proxy at a meeting duly called for considering the same and holding not less than two-thirds of the issued capital stock of the company. Confirmation of by-laws of directors.

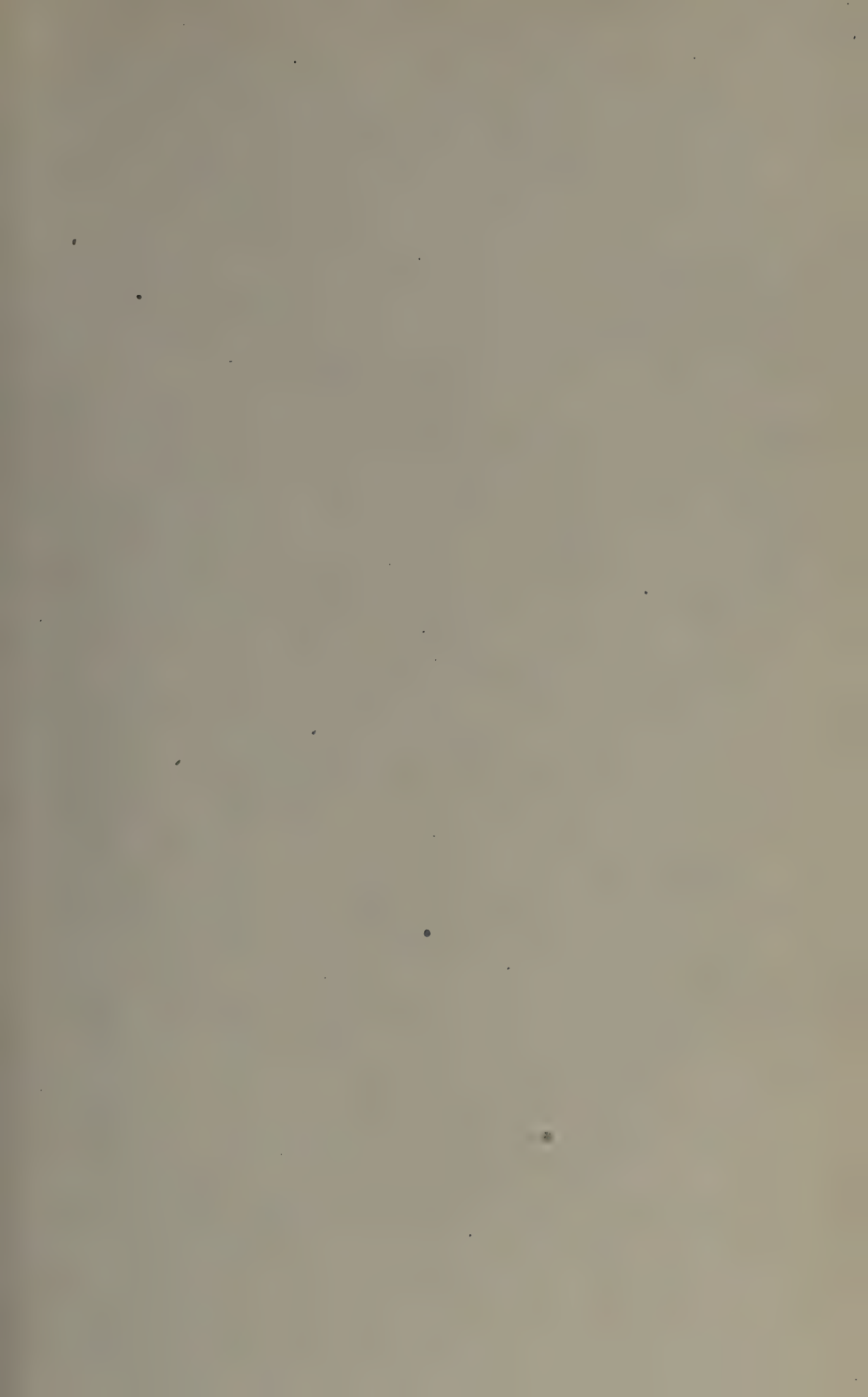
15. The company shall be managed by a board of directors, who shall be shareholders of the company, each holding not less than one share therein, and the board shall consist of such number, and they shall be elected in such manner and represent such division or divisions, as the by-laws of the company may provide, but the board shall consist of not less than seven directors who shall be elected annually. Directors: qualification of, election, etc.

16. Subject to the provisions of this Act and of the by-laws of the company, the board of directors shall have full power to manage and carry on the affairs and undertakings of the company, and do and perform all acts, matters and things necessary therefor. Powers of directors.

17. The directors may pass by-laws to create reserve funds for the purposes of the company, and from time to time set apart any of the funds of the company as or towards the same. Reserve fund.

18. *The Ontario Companies Act* and amendments thereto shall, so far as the same are not inconsistent with the special provisions of this Act, apply to the company. Rev. Stat., c. 178, to apply.

19. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.



No. 188.

2nd Session, 15th Legislature,
11 George V. 1921.

BILL.

An Act to incorporate Niagara Peninsula
Growers, Limited.

1st Reading, 23rd March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

*(Reprinted as amended by the Private
Bills Committee.)*

Mr. MARSHALL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Railway Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 210 of *The Ontario Railway Act* is repealed and the following substituted therefor:— Rev. Stat.,
c. 185, s. 210,
amended.

Notwithstanding anything to the contrary contained in any agreement with a municipal or other corporation or person or in any special Act, the fare to be taken by a company on a railway operated by electricity shall first be approved of by the board, and no fare shall be charged upon such railway which has not been so approved. Fare on
electric
railway
to be
approved
by Board.

2. Section 231 of *The Ontario Railway Act* is amended by striking out the words “within the maximum hereinbefore mentioned” in clause *i* thereof and substituting therefor “subject to the provisions of section 210,” and by adding to said section the following subsection:— Rev. Stat.,
c. 185, s. 231,
amended.

(2) Notwithstanding anything to the contrary contained in any agreement with a municipal or other corporation or person or in any general or special Act, the company and the council of any municipality in which a railway is constructed may by agreement with the approval of the board vary the terms under which the said railway is operated without a vote of the electors, provided, however, that no such variation shall have the effect of extending the term of the franchise beyond the limit previously agreed upon. Terms of
agreement
may be
varied with
approval
of Board.

Rev. Stat.,
c. 185, s. 247,
amended.

3. Subsection 1 of section 247 of *The Ontario Railway Act* is amended by inserting after the word "runs" in the second line thereof the words "or the company," and by inserting after the word "right" in the second line thereof the words "to give notice."

Rev. Stat.,
c. 185,
s. 260 (4),
amended.

4. Subsection 4 of section 260 of *The Ontario Railway Act* is amended by adding thereto the following:—

proviso.

Provided always that unless within sixty days from the said taking of possession by the board the company and the council of the municipality make such agreement as in the opinion of the board will provide an ample and efficient service and enable the company to obtain sufficient revenue to keep the railway in a reasonably safe condition and to meet the working expenditure and such return on the capital actually invested as the said board shall deem fair and reasonable, the board shall, upon application by either the company or the council of the municipality make such order as it deems just and reasonable and such order shall be binding upon the company and the municipality subject to the right of either party to apply for a revision thereof at the expiration of any fifth year thereafter upon giving one year's previous notice to the other party.

Commence-
ment of Act.

5. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

No. 189.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Railway
Act.

.1st Reading,	23rd March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McCREA.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 11 of *The Assessment Act* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 195,
s. 11 (2),
amended.

(2) Where such income is not a salary, the income of such person for the purposes of assessment shall be taken to be not less than the amount of his income during the year ending on the 31st of December then last past, and shall be the amount on which the taxes on such assessment shall be paid.

Income for
preceding
year to be
basis of
assessment.

2. Subsection 1 of section 118 of the said Act, as amended by 7 George V, chapter 45, section 11, and by 10-11 George V, chapter 63, section 7, is further amended by inserting after the word "income" in the seventeenth line thereof the words "from personal earnings."

Rev. Stat.,
c. 195, s. 118
(1) (as
amended
by 7 Geo. V,
c. 45, s. 11,
and by 10-11
Geo. V,
c. 63, s. 7),
amended.

No. 190.

2nd Session, 15th Legislature.
11 George V. 1921.

BILL.

An Act to amend The Assessment Act.

1st Reading,	23rd March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. LEWIS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Planning and Development Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Planning and Development Amendment Act, 1921.* Short title.

2. In this Act,—

Interpreta-
tion.

- (a) "Corporation" shall mean the corporation of any municipality which has heretofore appointed, or may hereafter appoint, a commission under *The Planning and Development Act*; "Corpora-
tion."
- (b) "Council" shall mean the council of any such municipality; "Council."
- (c) "Board" shall mean the Ontario Railway and Municipal Board, and any member thereof authorized as provided by section 9 of *The Ontario Railway and Municipal Board Act*; "Board."
- (d) "Commission" shall mean a town planning commission appointed as provided by section 16 of *The Planning and Development Act*; "Commis-
sion."
- (e) "Plan" shall mean a plan prepared in accordance with the provisions of *The Planning and Development Act* or of this Act; "Plan."
- (f) "Scheme" or "Development Scheme" shall mean a development scheme prepared in accordance with the provisions of *The Planning and Development Act* or of this Act; "Scheme."

Delegation
of powers
by cor-
poration
to commis-
sion.

3.—(1) Any corporation may delegate to a commission any or all the powers given thereto under *The Planning and Development Act* or this Act in so far as such powers relate to the preparation of a general plan of the city and the approval of subdivisions; provided that the commission shall have no power to execute any work which involves the expenditure of money except with the consent of the council and after the approval of the proposed work by a resolution of the council.

Such
powers
to be
additional.

(2) The powers conferred by this Act upon any commission appointed hereunder shall be in addition to the powers conferred upon it under *The Planning and Development Act*.

Appropriation of
sums of money by
council for
carrying
out plans.

4.—(1) On the application of the commission the council shall appropriate a sum of not less than \$5,000, and not exceeding \$10,000 for three years, and thereafter such sums as it shall see fit for the work of the commission in preparing and carrying out a plan and provisions under *The Planning and Development Act* and this Act.

Balance
of appropriation
in
any year,
how used.

(2) Should the commission not expend in any year the full amount of its appropriation for that year, the balance thereof shall be available for its purposes in any succeeding year.

Limitation
of powers
of com-
mission.

(3) The commission shall have no power to commence or to undertake any work or to authorize the commencement or the undertaking of any work which involves the incurring of an indebtedness that could not, along with the other current obligations of the commission, be discharged out of money then appropriated and available for its purposes.

Commis-
sion to
have no
power to
borrow
money.

(4) The commission shall have no power to borrow money

Commis-
sion to
prepare
plan and
set of
provisions.

5. In addition to preparing a general plan in accordance with *The Planning and Development Act* and this Act the commission shall prepare a set of provisions having for their general object (a) the securing of the best economic use of the land; (b) the control of the height, use and density or occupancy of buildings to be erected on each acre or lot; (c) proper sanitary conditions and adequate provision for air space around buildings to be erected; and (d) amenity and convenience in connection with the planning, laying-out, classification and use of land for any purpose.

Provisions,
what to
contain.

6. In the general plan and provisions regard shall be paid to the following matters in addition to those set out in *The Planning and Development Act*:—

- (a) Widening, extending, relocating, stopping up and diverting roads and other ways including the determination of the width of all streets and roads for different purposes and reserving of land for new main thoroughfares;
- (b) Fixing the distances at which buildings shall be set back from the centre or sides of streets, roads or other ways, including the laying out or altering of street lines;
- (c) Open spaces, both private and public, for parks, playgrounds and the like;
- (d) Design and location of public buildings;
- (e) Prescribing zones in which to regulate (first) the use of certain areas for building purposes, such as dwelling houses, apartment houses, factories, warehouses, shops or stores; (second) the height or general character of buildings to be erected or reconstructed in such areas; (third) the density of buildings in such areas and fix the percentage of the area of any lot or acre on which new buildings may be erected or old buildings reconstructed; and (fourth) the area of land that may be restricted for use for open spaces or agriculture;
- (f) Planning of community or co-operative centres;
- (g) Preserving of objects of historical or natural beauty;
- (h) Varying or extinguishing private rights of way or other easements;
- (i) Prohibiting the carrying on of any noxious or objectionable trades or manufactures or the erection or reconstruction and use of any buildings with inadequate sanitary arrangements or the erection or reconstruction and use of buildings, bill-boards, or structures for advertising purposes, which are such as to be injurious to the amenity or natural beauty of any area, or which will bring about a depreciation in the value of adjacent property.

7.—(1) No plan, or development scheme shall have effect until it has been adopted by the council and has been approved by the board.

Plan to be adopted by council and approved by board.

Board
may require
commis-
sion to
make
alterations,
etc.

(2) The board may at any time either prior, or subsequent to, the granting of its approval of any plan or development scheme, require the commission to make such alterations therein, additions thereto, or omissions therefrom, as it may deem requisite.

When
plan to
take
effect.

(3) Every plan, and every development scheme, shall take effect from and after the date on which it has been approved by the board, unless the board fixes some later date upon which it shall take effect.

Board
may vary
or annul
plan, under
what cir-
cumstances.

(4) Every plan and every development scheme may be varied or annulled by order of the board, made upon the application of the council or of any interested person, which order may be made upon such terms and conditions and after such notice to the commission and to others as the board may direct.

Restriction
as to
use of
land.

8. No person shall be prevented from making any use of land which he would otherwise be entitled by law to make, by reason only of anything shown upon any plan, but only in case such use shall be prohibited or restricted by some provision of the development scheme, and then only to the extent to which such use shall be thereby restricted or prohibited.

Upon
application
of com-
mission
board may
make re-
strictions
as to
buildings
and
alterations.

9.—(1) Prior to the approval of any plan or scheme, the board may, on the application of the commission, provide by order that no person shall, on or after such date as the board may determine, construct or alter any building within such area or abutting upon such street or streets or part of a street, unless the same shall be designated of, or to, a character, size or height, or designed for use or purpose, other than as are specified in such order.

Notice of
application
to be
published
in news-
paper.

(2) The board shall give public notice of such application in a newspaper published in the city at least one month prior to the date fixed for the hearing of the same, which notice shall be inserted once a week for a period of three weeks.

Board
may rescind
or vary
any such
order.

(3) The board may, upon the application of the commission or any person, rescind or vary any order previously made by it under the authority conferred by this section. Notice of such application shall be given as provided by subsection 2 of this section.

No com-
pensation
for re-
scinding or
varying
order.

(4) No compensation shall be paid to any person by reason of the making, or by reason of the rescinding or varying, of an order made under the authority of this section.

10.—(1) All money required for the purpose of carrying out any development scheme which has been approved as provided by the foregoing sections of this Act, other than the current ordinary expenditures of the commission, may be borrowed by the corporation upon debentures to be issued as provided by *The Municipal Act*. Corporation may issue debentures.

(2) Such debentures may be issued from time to time by by-law passed by a vote of two-thirds of the council, and it shall not be necessary to obtain the approval of the electors qualified to vote on money by-laws to the passing of any such by-law. By-law necessary to issue debentures.

(3) All such debentures shall be repayable within thirty years at latest from their date of issue. Time limit for repayment of debentures.

(4) The amount of all such debentures outstanding at any one time shall not exceed an amount, the interest and principal of which can be discharged in due course, out of the proceeds of an annual rate of one-half of a mill on the dollar on the rateable property of the city, according to the last revised assessment roll thereof. Limit of amount of debentures.

11.—(1) Except so far as is otherwise provided by *The Municipal Act* or by this Act, any person whose property is injuriously affected by the making of any plan or scheme, shall be entitled to obtain compensation in respect thereof from the corporation, provided that such claim be made in writing within one year next after the date upon which such plan or scheme has been approved by the board. Compensation to owner of land injuriously affected.

(2) Notice of every such claim shall be given the corporation in the manner provided by *The Municipal Act*. Notice of claim.

(3) No person shall be entitled to compensation on account of any building erected on, or contract made, or other thing done with respect to land affected by or included in any plan or scheme, after the date upon which such plan or scheme has been approved, or after such other time as the board may fix for the purpose. Where claim arises after plan approved, no compensation to be given.

(4) This provision shall not apply to prevent compensation being paid in respect of any work done before the date of the approval of the plan, or scheme, or before such other time as may be fixed by the board for the purpose of finishing a building previously begun, or of carrying out a contract entered into before the application was made. Where work begun before plan approved, provision not to apply.

12. Where property is alleged to be injuriously affected by a plan or scheme, no compensation shall be paid in respect Where no compensation to be paid.

thereof, if, or in so far as, the provisions of the plan or scheme are such as might have been enforceable without payment of compensation, if they had been enacted by a by-law made by the council under any other Act.

Where
property
deemed
not to
be in-
juri-
ously
affected.

13. Property shall not be deemed to be injuriously affected by reason only of the making of any provisions inserted in the scheme, which, with a view to securing the amenity of the area included in the scheme, or any part thereof, prescribe the space about buildings, limit the number of buildings to be erected, or occupied, or prescribe the height or character or use of buildings, and which the board, having regard to the nature and situation of the land affected thereby, declare by order to be reasonable for the purpose.

Where
value of
property
increased.

14. Where in consequence of the making of any plan, or development scheme, the property of any person is increased in value, the corporation, if it makes claim therefor at any time within one year after the date on which such plan or development scheme was approved by the board, shall be entitled to recover from the person whose property is so increased in value, one-half of the amount of such increase.

Where
property
injuriously
affected.

15. Any person whose property is injuriously affected by the execution of works carried out under the provisions of a scheme in respect of any matter or thing which has not been the subject of compensation, in connection with the making of a plan or scheme, shall be entitled, if he makes claim within the time limited by *The Municipal Act*, to obtain compensation in respect thereof from the corporation.

Council
may
acquire
land.

16.—(1) The council may acquire land on the recommendation of the commission, for the purposes of a development scheme, by gift, purchase or expropriation, out of any money appropriated and available for such purpose, and in like event may purchase or acquire any land within 200 feet of the boundary line or proposed boundary line of any street laid out, widened or improved by the council, or of any public park, playground or other open space acquired by the council under the plan and scheme.

(2) The council may sell and dispose of any land acquired under the authority of this section, if no longer required for its purposes.

17. Except as otherwise herein provided, the provisions of *The Municipal Act* as to expropriation and compensation shall, *mutatis mutandis*, apply to any proceedings taken under this Act.

No. 191.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Planning and
Development Act.

1st Reading, 29th March, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. HILL.

BILL

An Act to amend The Conveyancing and Law of Property Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Conveyancing and Law of Property Act* is amended by adding the following as section 57:—

Rev. Stat.,
c. 109,
amended.

- 57.—(1) Where there is annexed to any land which has not been registered under *The Land Titles Act* any condition or covenant that such land or any specified portion thereof is not to be built on or is to be or not to be used in a particular manner, or any condition or covenant running with or capable of being legally annexed to land, any such condition or covenant may be modified or discharged by order of the Supreme Court on proof to the satisfaction of the Court that the modification will be beneficial to the persons principally interested in the enforcement of the condition or covenant.
- (2) The jurisdiction of the Court under this section may be exercised by a Judge of the Court whether sitting in Court or in Chambers.
- (3) Where an application has been made under this section the Court may order that service of notice of the application be made on all persons interested in the enforcement of the condition or covenant or may order that service be made on certain of such persons on behalf of all and that service on the remainder be dispensed with and in all cases the Court may order that the service be either personal or by registered mail or by advertisement or in such other manner as the Court shall deem advisable.

Rev. Stat.,
c. 126.

Building
restrictions,
modifica-
tion or
discharge
of.

Jurisdic-
tion, how
exercised.

Notice of
application

Effect of
consent of
majority of
owners in
building
scheme.

- (4) Where the persons interested in the enforcement of the condition or covenant are the owners of lots which have been sold under a building scheme, it shall be *prima facie* evidence that the modification or discharge will be beneficial to the persons principally interested in the enforcement of the condition or covenant if the owners of more than half the property subject to the condition or covenant consent to the modification.

Application
of sub-
sections
3, 4.

- (5) Subsections 3 and 4 shall apply to an application made under this section or under section 99 of *The Land Titles Act*.

No. 192.

2nd Session, 15th Legislature,
11 George V. 1921.

BILL.

An Act to amend The Conveyancing and
Law of Property Act.

1st Reading.	29th March. 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. HILL.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Public Inquiries Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Inquiries Amend-* Short title.
ment Act, 1921.

2.—(1) No action or other proceeding heretofore com- Proceedings
menced shall be continued, and no action or other proceed- against
ing shall be hereafter commenced with respect to anything commis-
done or sought to be done by any commissioner or commis- sioners.
sioners appointed under *The Public Inquiries Act*, or to
restrain or interfere with, or otherwise direct or affect the Rev. Stat.,
conduct of any such commissioner or commissioners. c. 18.

(2) Where the validity of any commission issued under the said Act, or the jurisdiction of a commissioner or commissioners under any such commission is called in question, or any decision, order, direction or other act of a commissioner or commissioners is objected to by any person affected by the inquiry, or by such decision, order, direction or other Act, the commissioner or commissioners upon the request of such person shall state a case in writing to the Appellate Division setting forth the circumstances and containing or accompanied by such information and documents as will enable the Appellate Division to decide the matter in question and such question may be set down and argued before a Divisional Court and the decision of such Court thereon shall be final and binding upon the commissioner or commissioners and upon all other persons.

(3) If the commissioner or commissioners refuse to state a case at the request of any person affected by the inquiry or any decision, order, direction or other act of the commissioner or commissioners, such person may apply to a Divi-

sional Court for an order directing the commissioner or commissioners to state a case upon the matter in question, and upon such application the Divisional Court may in its discretion give such direction or make such order refusing the application or allowing the same as to it may seem just and may give such directions to the commissioner or commissioners as may appear necessary for the proper statement of the case and its submission to the Court.

(4) Pending the decision of the stated case no further proceedings shall be taken by the commissioner or commissioners with respect to the matter in question.

(5) Nothing in this section shall prevent the Lieutenant-Governor in Council from at any time revoking or modifying or enlarging the scope of any commission issued under this Act.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it shall receive the Royal Assent.

No. 193.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Public Inquiries
Act.

1st Reading, 29th March,	1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. DEWEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Office of King's Printer.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The King's Printer Act*, Short title.
1921.

2. There shall continue to be an officer in the Public Service at the seat of Government at Toronto to be known as the King's Printer, who shall be appointed by the Lieutenant-Governor in Council, and shall hold office during pleasure.

3. In addition to the duties heretofore performed by the King's Printer, he shall—

(a) Act as accountant to the Legislative Assembly;

(b) Purchase supplies for the various departments of the Government at Toronto whenever directed by any general or special order of the Lieutenant-Governor in Council or by a member of the Executive Council so to do;

(c) Inspect and test all paper supplied to the Legislative Assembly or to any of the departments of the Government at Toronto under contract or otherwise, and see that in quality, weight and price the paper so supplied conforms to the requirements and specifications contained in the contract, instrument or instructions under which the same is purchased;

(d) See that supplies of stationery and other goods furnished to the departments of the Government at Toronto are of standard quality;

(e) Use all means in his power to prevent extravagance or waste in the purchase of supplies from his office;

(f) Perform such other duties as may be required by the Lieutenant-Governor in Council.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 194.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Office of King's
Printer.

1st Reading,	30th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to regulate the Sale and Installation of Lightning Rods for the Province of Ontario

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Lightning Rod Act*. Short title.

2. In this Act,— Interpretation.

“Regulations” shall mean the regulations made by the Lieutenant-Governor in Council under the authority of this Act.

In the absence of the “Fire Marshal,” or in case of a vacancy in the office, during such absence or vacancy the term “Fire Marshal” shall also include the “Deputy Fire Marshal.”

3. No person or corporation shall sell or offer for sale material or apparatus intended to be used for the protection of buildings from damage by lightning, or to install upon any building or structure any apparatus intended to, or purporting to be used, for the protection of buildings from damage by lightning until authorized to do so by a license obtained from the Provincial Fire Marshal under the provisions of this Act or of the regulations. Manufacturers and others selling lightning rods shall be licensed.

4. Subject to the regulations a license shall not be issued until the Fire Marshal has approved: Conditions under which license may be issued.

(a) Of the material or apparatus intended to be used for the protection of buildings and their contents from damage by lightning; Approval of material.

(b) Of the manner and system of installing such material or apparatus; Approval of system of installation.

Guarantee
agreement
to be filed.

- (c) Of a guarantee agreement, to be filed with him, providing that in the event of damage by lightning to property, rodded by said person or corporation or his agent, money for the rodding of said building (including material and labour) shall be returned to the owner thereof, or the damage to said building repaired; providing, however, that claim is made within thirty days of sustaining such damage; and is satisfied that

Fiducial
standing of
applicant.

- (d) The applicant, after complying with the necessary requirements, is safe and reliable as to assets, business standing, and is entitled to public confidence.

Filing of
bond to
fulfil
guarantee.

5.—(a) Such person or corporation, referred to in section 3 of this Act, shall file a bond with the Fire Marshal in the penal sum of ten thousand dollars with surety or sureties satisfactory to the Fire Marshal, for the purpose of securing the payment of any final judgment that may be recovered against such person or corporation in any court of competent jurisdiction in this province, together with a written stipulation that legal process affecting such person or corporation or his agent served upon the Fire Marshal, shall have the same effect as if personally served upon such person or corporation or his agent within the province.

Recovery of
judgment.

(b) Where judgment is recovered against any person or corporation upon a guarantee agreement issued under this Act, and such judgment remains unsatisfied for sixty days after the recovery thereof, the Fire Marshal may bring action upon the bond for the payment of such judgment and the costs payable thereunder and may pay and satisfy the amount of the judgment out of any sum recovered upon such bond.

Service of
legal process

(c) Service of any legal process upon any such person or corporation shall be good and valid when made in the manner described in subsection (a).

Payment of
fee and tax.

6.—(a) After complying with the necessary requirements as herein provided, and upon the receipt of a fee of fifty dollars, payable to the Treasurer of Ontario, and a tax of eighty cents on every hundred dollars received from the sale of lightning rods and equipment in respect of business transacted in Ontario during the preceding year as shown by a sworn statement made by such person or corporation, the Fire Marshal may issue a license to such applicant, to continue in force until the thirty-first day of December, next after the date of the issuing of same.

(b) The license may be revoked at any time by the Fire Marshal for non-compliance with the provisions of this Act or the regulations, after a hearing. Revocation of license.

7. Upon written notice from the licensee under this Act, of the appointment of a suitable person to act as his agent in this province, and upon the presentation of a certificate of his good reputation and character signed by the mayor or reeve of the municipality of which he is a resident, the Fire Marshal may, if he is satisfied that the appointee is a suitable person, issue to him a license as such agent upon the receipt of a fee of three dollars, payable to the Treasurer of Ontario. Licensing agents.

(a) An agent holding such a license is permitted thereby to sell and install only the classes or brands of rods and equipment sold by the holder of the original license. Restrictions as to sale by agents.

(b) Such license shall continue in force for the current year but may be revoked at any time by the Fire Marshal for good cause, after a hearing. License only for current year.

(c) Such agents shall be residents of the Province of Ontario. Agents to be residents of Ontario.

8. Every licensee or agent shall, upon demand, exhibit his license to any mayor, reeve, fire prevention officer, district fire marshal, fire chief or police officer, and to any person to whom he sells, offers to sell or install lightning rods or equipment and shall furnish a copy of this Act and the regulations regarding the standardization and installation of lightning rods to every person to whom he sells such lightning rods and equipment. Upon completion of the work he shall give the owner of the building a certificate in writing, duly signed, that the installation has been made in full conformity with the requirements of this Act and the regulations. If he neglects or refuses to do so, he shall be liable to the penalty provided by this Act for acting as such agent without a license. License shall be exhibited when requested by public officer.
Copy of Act and Regulations to be furnished.
Licensee or agent shall give certificate as to proper performance of work.
Penalty for refusal or neglect.

9. Any person not licensed as provided by this Act, selling, offering for sale, or installing such lightning rods or other material, shall be liable to a fine of not over \$200, or six months' imprisonment for each offence, or both; and such penalty shall be recoverable before a police magistrate, or two or more justices of the peace, under *The Ontario Summary Convictions Act*. Penalty for selling without license.

License not transferable.

10.—(a) The licenses provided for by this Act are valid for only one person, firm or corporation, and are not transferable.

Help may be employed.

(b) A manufacturer or agent licensed under this Act may employ competent help to install lightning rods, but the responsibility for the proper installation of the lightning rods rests with the manufacturer or original licensee.

Holder of guarantee agreement may bring suit.

11. Where the holder of any guarantee agreement issued under the provisions of this Act deems that he has suffered loss by lightning as a result of installation in contravention of this Act or the regulations, he may, with the written authority of the Fire Marshal, bring an action for the recovery of the amount of such loss, as provided for in section 4, subsection (c) of this Act, against the person or corporation issuing the agreement, but every such action shall be commenced within a period of thirty days after the occurrence of the loss.

Fees and taxes to be added to Fire Marshal Fund.

12. The license fees and taxes paid to the Treasurer of Ontario, as provided in this Act, shall be added to the special fund for the maintenance of the office of Fire Marshal and the expense incidental thereto.

Power of Lieutenant-Governor in Council to make regulations.

13. The Lieutenant-Governor in Council may make regulations:—

Standardization.

(a) Establishing standards and prescribing the kind of materials or apparatus to be used for the protection of buildings and their contents from damage by lightning;

Installation.

(b) Of the manner and system of installing such material or apparatus;

Generally.

(c) Generally for the enforcement and better carrying out of the provisions of this Act.

Repeal.

14. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

When Act shall take effect.

15. This Act shall take effect on the second day of January, one thousand nine hundred and twenty-two.

No. 195.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to regulate the Sale and Installation of Lightning Rods for the Province of Ontario.

1st Reading,	30th March, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Tax Exemption Act, 1920.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sections 3, 5 and 6 of *The Municipal Tax Exemption Act, 1920*, are amended by striking out the words “qualified ratepayers” wherever they occur and substituting therefor the words “electors qualified to vote on money by-laws.” 10-11 Geo. V, c. 64, ss. 3, 5 and 6, amended.

2. Section 8 of *The Municipal Tax Exemption Act, 1920*, is repealed and the following substituted therefor:— 10-11 Geo. V, c. 64, s. 8, amended.

8. In the case of an organized township in a Provincial Judicial District, the Lieutenant-Governor in Council may by order direct that the proposed by-law shall be submitted only to the resident electors qualified to vote on money by-laws for their assent, and in the case of a school section in an unorganized township that the proposed resolution shall be submitted only to the resident ratepayers for their sanction. Assent of resident electors qualified to vote on money by-laws or only assent of resident ratepayers, on order of Lieutenant-Governor in Council.

3. *The Municipal Tax Exemption Act, 1920*, is amended by adding the following sections:— 10-11 Geo. V, c. 64, amended.

10. Where a petition signed by a sufficient number of municipal electors to equal at least ten per cent. of those who voted at the last preceding election for mayor or reeve in which a poll was held is presented to the council on or before the first day of November in any year, praying for the submission of a by-law under this Act and setting out in the petition the percentage of exemption desired each year, it shall be the duty of the council to submit a by-law in conformity Council shall, if petitioned by 10% of electors, submit by law to electors qualified to vote on money by-laws for their assent, and pass same if carried.

with the petition to the electors qualified to vote on money by-laws on the day fixed for holding the poll at the next annual municipal election, and if the voting is in favour of the by-law it shall be the duty of the council to forthwith pass the by-law, and such by-law shall not be repealed except as provided in section 11.

Provision
for repeal of
the by-law
on petition.

11. If a petition asking for the repeal of a by-law passed under authority of this Act and signed as required by section 10 is presented to the council, on or before the first day of November in any year, it shall be the duty of the council to submit the question of the repeal of the by-law to the electors qualified to vote on money by-laws on the day fixed for holding the poll at the next annual municipal election, and if the voting is in favour of the repeal of the by-law, it shall be the duty of the council to pass a by-law decreasing for the following year, and from year to year thereafter, the percentages of exemption in the same proportion in which they were increased from year to year under the original by-law until the exemptions provided by the original by-law have been wholly removed.

No. 196.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Tax
Exemption Act, 1920.

1st Reading, 31st March,	1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. DEURY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Insurance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 99a of *The Ontario Insurance Act* as enacted by *The Ontario Insurance Amendment Act, 1914*, and section 100 of *The Ontario Insurance Act* are repealed: Rev. Stat., c. 183, ss. 99a, 100 repealed.

2. *The Ontario Insurance Act* is amended by adding thereto the following Part: Rev. Stat., c. 183, amended.

PART V.

Provisions relating to Agents, Brokers and Adjustors.

246. In this part:

Interpretation.

(1) "Broker" shall mean a person who, for compensation, not being the licensed agent or an officer of an insurance company in which any insurance is effected, acting under section 247, acts or aids in any manner in negotiating contracts of insurance or re-insurance or placing risks or effecting insurance or in negotiating the continuance or renewal of such contracts for a person other than himself. "Broker."

(2) "Agent" shall mean a person who, for compensation, not being a duly licensed insurance broker or an officer of an insurance company in which any insurance is effected, acting under section 247, solicits insurance or re-insurance on behalf of any company or transmits for a person other than himself, an application for or a policy of insurance to or from such company or offers or assumes to act in the negotiation of such insurance or in negotiating its continuance or renewal. "Agent."

"Adjuster."

- (3) "Adjuster" shall mean a person who, for compensation, not being a barrister or solicitor acting in the usual course of his profession or a trustee or an agent of the property insured, directly or indirectly solicits from the assured or his representatives, the settlement of a loss under a fire insurance policy.

Licenses of Insurance Agents.

Licensing agent.

247.—(1) Upon written notice by a company authorized to transact insurance in Ontario, of its appointment of a person to act as its agent herein, and upon payment of a fee of three dollars the Superintendent shall, if he is satisfied that the appointee is a suitable person of the full age of twenty-one years or over, and intends to hold himself out and carry on business in good faith as an insurance agent, issue to him a license which shall state in substance that the company is authorized to do business in Ontario and that the person named therein is the constituted agent of the company for the transaction of such business as it is authorized to transact in Ontario.

Notice of company to be accompanied by sworn statement of appointee.

(2) Such notice shall be upon a form furnished by the Superintendent and shall be accompanied by a sworn statement by the appointee which shall give his name, age, residence, present occupation, his occupation for the five years next preceding the date of the notice, and such other information as the Superintendent may require, upon a form furnished by him.

Revocation or suspension of license.

(3) The Superintendent may at any time for cause shown and after a hearing, revoke the license or suspend it for a period not exceeding the unexpired term thereof and may for cause shown and after a hearing revoke the license while so suspended, and shall notify both the company and the agent in writing of such revocation or suspension.

Expiration of license.

(4) A license issued hereunder shall expire on the 30th day of September next after its issue, unless sooner revoked or suspended by the Superintendent for cause or unless the company, by a written notice filed with the Superintendent, cancels the authority of the agent to act for it. Such license may, in the discretion of the Superintendent, be renewed for a succeeding year or years by a renewal certificate without requiring anew the detailed information hereinbefore specified.

Liability of company for acts of agent.

(5) Every company shall be bound by the acts of the person named in the license within the scope of his

apparent authority as its acknowledged agent, while such license remains in force.

(6) A collector of insurance premiums who does not solicit applications for or the renewal or continuance of insurance contracts or act or aid in negotiating such contracts or the renewal thereof, may carry on such business without a license therefor, provided that the collection fee does not exceed five per centum of any amount collected.

License not required, under what circumstances.

(7) An officer of a registered insurance company may, without a license, act for such company in the negotiation of any contract of insurance or in the negotiation of the continuance or renewal of any contracts which it may lawfully undertake.

Officer of registered company may act without license.

(8) Whoever, not being a licensed broker or an officer of a registered insurance company acting under subsection 7, assumes to act as an agent as defined in this Part, without the license required by this section, or while his license as such agent is suspended, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Penalty where not licensed.

Licenses of Insurance Brokers.

248.—(1) The Superintendent may, upon the payment of a fee of ten dollars, issue to any suitable person of the full age of twenty-one years or over, resident in Ontario or resident in any other province of Canada which issues insurance agents' or brokers' licenses and which, by virtue of reciprocal legislation accepts as valid within its jurisdiction, licenses issued to agents or brokers in Ontario, a license to act as an insurance broker to negotiate, continue or renew contracts of insurance, or to place risks or effect insurance with any duly registered insurance company or its agent.

Licenses of insurance brokers.

(2) The applicant for such license shall file with the Superintendent a written application upon a form provided by the Superintendent, which shall be executed on oath by the applicant and kept on file by the Superintendent, in which the applicant shall state the name, age, residence and occupation of the applicant at the time of making the application, his occupation for the five years next preceding the date of the application, that the applicant intends to hold himself out and carry on business in good faith as an insurance broker and such other information as the Superintendent may require; and the application shall also contain a statement as to the trustworthiness and competency of the applicant signed by at least three reputable persons resident in Ontario.

Application to be filed with superintendent.

Superintendent may issue license.

(3) If the Superintendent is satisfied that the applicant is trustworthy and competent and intends to hold himself out and carry on business in good faith as an insurance broker, he shall issue the license applied for, which shall expire one year from its date unless sooner revoked or suspended by the Superintendent for cause.

Renewal of license.

(4) The license may, in the discretion of the Superintendent, be renewed upon payment of the fee of \$10, for any succeeding year without requiring anew the detailed information hereinbefore specified.

Revocation or suspension of license.

(5) The Superintendent may, at any time, for cause shown and after a hearing, revoke the license or suspend it for a period not exceeding the unexpired term thereof, and may for cause shown and after a hearing revoke the license while so suspended, and shall notify the licensee in writing of such revocation or suspension and may publish a notice of such revocation or suspension in such manner as he may deem necessary for the protection of the public.

Penalty for acting without license.

(6) Whoever, not being a licensed agent of the company in which insurance is effected or an officer of a registered insurance company, acting under section 247, assumes to act as an insurance broker as defined in this Part without such license or during a suspension of his license as such broker, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

License may be granted limiting authority of license.

249. In addition to issuing insurance brokers' licenses giving the full authority to the licensee as set forth in the preceding sections, the Superintendent may issue insurance brokers' licenses which limit the authority of the licensee to the extent agreed upon with the applicant and set forth in the license issued to him, but in other respects the granting of such licenses and the brokers so licensed shall be governed by the provisions of this Act relating to insurance brokers.

Brokers' Licenses for Business with Unregistered Corporations.

License to special insurance broker.

250.—(1) The Superintendent may, upon the payment of a fee of \$25, issue to any suitable person of the full age of twenty-one years or over, resident in Ontario, a license to act as a special insurance broker to negotiate, continue or renew contracts of fire insurance on property in Ontario in companies not authorized to transact such business in Ontario.

(2) The applicant for such a license shall file with the Superintendent a written application as prescribed by section 248 which shall be executed on oath by the applicant and kept on file by the Superintendent. Application to be filed with superintendent.

(3) If the Superintendent is satisfied that the applicant is trustworthy and competent, he shall issue the license applied for subject to suspension or revocation in the discretion of the Superintendent which license shall expire at the end of one year from its date unless sooner suspended or revoked as aforesaid. Expiration of license.

(4) The license may, in the discretion of the Superintendent, be renewed for each succeeding year upon payment of the fee of \$25 without requiring anew the detailed information specified by section 248. Renewal of license.

(5) Before the person named in such license shall procure any insurance in such companies on any such property, he shall, in every case, execute, and within five days thereafter, file with the Superintendent an affidavit which shall have force and effect for one year only from the date of said affidavit, that he is unable to procure in companies registered to do business in Ontario, the amount of insurance necessary to protect said property and shall procure insurance under such license only after he has procured insurance in companies registered to do business in Ontario as aforesaid, to the full amount which said companies are willing to write on said property; but such licensed person shall not be required to file such affidavit if one relative to the same property has been filed within the preceding twelve months by any broker who has been licensed as authorized by this section nor to offer any portion of such insurance to any company not possessed of cash assets amounting to at least \$25,000, nor to one which has, within the preceding twelve months been in an impaired condition. Affidavit to be filed with superintendent.

(6) Every person shall, before receiving such license, execute and deliver to the Superintendent security to the satisfaction of the Superintendent in the sum of not less than \$5,000, that the licensee will faithfully comply with all the requirements of this Act, and every person so licensed shall keep a separate account of the business done under the license, a certified copy of which account he shall forthwith file with the Superintendent showing the exact amount of such insurance placed for any person, the gross premium charged thereon, the companies in which the same is placed, the date of the policies and the term thereof, and also a report in same detail of all such policies cancelled, with the gross return premiums thereon. Security.

Annual
return.

(7) Every licensee shall make to the Superintendent an annual return in the month of January, in the form and manner by him prescribed, of the particulars of all insurances effected under this section by the licensee during the preceding calendar year, verified by oath of the licensee, and shall pay to the department such taxes as would be payable if such premiums had been received by a registered insurance company whose head office was situate where the head office of the company in which the said insurance is actually effected, is situate.

Forfeiture
of license,
under
what cir-
cumstances.

(8) The person licensed under this section who negotiates, continues or renews any contract of insurance in a company which has not been registered for the transaction of fire insurance business in Ontario and who neglects to file the affidavit and statement required by this section, or who wilfully makes a false affidavit or statement, or who negotiates, continues or renews any such contract of insurance after the revocation or during the suspension of his license, shall forfeit his license and shall be guilty of an offence and be liable to the penalties provided by this Act for the illegal transaction of insurance business in Ontario.

Provisions relating to Agents and Brokers Generally.

Where
agent act-
ing for
other than
himself.

251. An agent or broker acting for a person other than himself in negotiating, continuing, or renewing any contract of insurance shall, for the purpose of receiving any premium therefor, be deemed to be the agent of the company whatever conditions or stipulations may be inserted in the policy or contract.

Fraudulent
representations.

252. An agent or broker who knowingly procures by fraudulent representations, payment or the obligation for the payment of any premium on an insurance policy, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Personal
liability of
agent for
unlawful
contracts.

253. An agent shall be personally liable on all contracts of insurance unlawfully made by or through him directly or indirectly for or on behalf of any company not registered for the transaction of insurance business in Ontario.

Licenses of Insurance Adjusters.

Licenses
of insur-
ance ad-
justers.

254.—(1) The Superintendent may, upon the payment of a fee of \$10, issue to any suitable person a license to act as an adjuster of fire losses in Ontario.

(2) The applicant for such a license shall file with the Superintendent a written application upon a form furnished by the Superintendent executed under oath by the applicant, and to be kept on file by the Superintendent, which application shall state the name, age, residence and occupation of the applicant for the five years next preceding the date of the application and such other information as the Superintendent may require, and the application shall also contain a statement as to the trustworthiness and competency of the applicant signed by at least three reputable persons resident in Ontario.

Application
to be filed
with super-
intendent.

(3) If the Superintendent is satisfied that the applicant is trustworthy and competent, he shall issue the license which shall be in force for one year from its date unless sooner revoked or suspended by the Superintendent for cause.

License
to be in
force one
year.

(4) A license may, in the discretion of the Superintendent and upon the payment of a fee of \$10, be renewed for any succeeding year without requiring anew the detailed information hereinbefore specified.

Renewal
of license.

(5) The Superintendent may, at any time for cause shown and after a hearing, revoke the license or suspend it for a period not exceeding the unexpired term thereof and may, for cause shown and after a hearing, revoke the license while so suspended, and shall notify the licensee in writing of such revocation or suspension.

Revocation
or suspen-
sion of
license.

(6) Whoever acts as an adjustor as defined in this Part, without such license or during a suspension of his license, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Penalty
for acting
without
license.

Partnership Licenses of Agents, Brokers and Adjusters.

255.—(1) Licenses as agents or brokers or brokers for unregistered corporations or adjusters may be issued to partnerships on the conditions hereinbefore specified for the issue of such licenses to individuals except as otherwise provided in this section.

Licenses
to partner-
ships.

(2) Each member of the partnership shall file the statement or application and pay the fee required by this Act, including a written request that the license be issued in the name of the partnership, and there shall be filed a duplicate original of a written partnership agreement signed by all the partners. Licenses shall be issued in the partnership name and may be revoked or suspended as to one or all members of the partnership.

Duplicate
original of
partnership
agreement
to be filed
with appli-
cation.

Minors.

(3) Minors who are parties to the written articles of the partnership may be included in the partnership license provided that there is one adult member of the partnership.

Notice of termination of partnership to be given to superintendent.

(4) If the partnership is terminated prior to the expiration of the license, the partners shall forthwith give notice to the Superintendent, who shall, thereupon, without hearing, revoke the license.

Personal liability of partners for violation of this Act.

(5) Each partner shall be personally liable to the penalties of this Act for any violation hereof, although the act of violation is done in the name or on behalf of the partnership.

Failure to give notice of termination of partnership.

(6) Whoever, being licensed as a partner under this section, fails to give notice as required herein of the termination of the partnership, or whoever, after the partnership is terminated, acts or assumes to act under such license, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Corporation Licenses of Agents, Brokers and Adjusters.

Licenses to corporations.

256.—(1) Licenses as agents, brokers or adjusters, may be issued to any corporation which is incorporated exclusively for the purpose of acting as an insurance agent, broker or adjuster, and which, in the case of a corporation incorporated to act as agent or broker by its by-laws, or otherwise limits the holding and ownership of its capital stock to insurance agents and brokers or persons employed in good faith by such agents or brokers.

Licenses to what to be subject.

(2) Such licenses, and the corporation and officers of the corporation named in the license, shall be subject to the provisions of this Act in reference to agents, brokers and adjusters, except as otherwise provided in this section.

Licenses to specify officers.

(3) Each license shall specify the officers, not exceeding five, who may act thereunder in the name and on behalf of the corporation, and minors may be designated as such officers in the license.

Certified copy of Act or instrument of incorporation to be filed with application.

(4) Each officer shall file the statement or application and pay the fee required by the provisions of this Act, for individual agents, brokers or adjusters, and a certified copy of the Act or instrument of incorporation and of the by-laws of the corporation shall be filed with the said statements or applications.

(5) The license may be revoked or suspended as to the corporation or as to any officer named therein.

Revocation
or suspension
of
license.

(6) No corporation, whose head office is located outside of the Dominion of Canada, shall be licensed as agent of a foreign insurance company.

Where
head office
of corpora-
tion not in
Canada.

(7) The Superintendent may, at any time, require such information as he deems necessary in respect of the corporation, its officers or affairs, and may make such examination of its books and affairs as he deems necessary.

Superin-
tendent may
examine
books.

(8) The corporation shall file with the Superintendent, within thirty days after the adoption thereof, certified copies of all amendments to the Act or instrument of incorporation, or to the by-laws of the corporation, and shall at once notify the Superintendent in writing in case of the dissolution or revocation of the charter of the corporation, and upon receipt of such notice the Superintendent shall forthwith revoke its license without a hearing.

Certified
copies
amendments
to be filed
with super-
intendent.

(9) Every officer specified in the license shall be personally liable to the penalties of this Act for any violation thereof, although the act of violation is done in the name and on behalf of the corporation, and the corporation shall be liable for any such violation, the responsibility for which cannot be placed upon any individual officer.

Personal
liability
of officers.

(10) The corporation or the officer thereof, whose duty it is to fulfil the requirements of this section, who fails to file with the Superintendent, copies of all amendments to the Act or instrument of incorporation, or to the by-laws of such corporation as provided herein, or who fails to notify the Superintendent of the dissolution or revocation of the charter of the corporation, or whoever, being specified in the license of such corporation as an officer, acts or assumes to act under said license after the dissolution or the revocation of the charter of such corporation, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Liability
of corpora-
tion or
officer for
non-com-
pliance.

Provisions Relating to Agents, Brokers and Adjusters - Generally.

257. Whoever, not being duly licensed as an agent or broker or adjuster, represents or holds himself out to the public as being such an agent, broker, or adjuster, or as being engaged in the insurance business by means of advertisements, cards, circulars, letter heads, signs or other methods, or whoever, being duly licensed as such agent,

Penalty
for acting
without
license.

broker or adjuster, advertises as aforesaid or carries on such business in any other name than that stated in the license, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Agent to be deemed to hold premium in trust for company.

258. An agent or broker who acts in negotiating or renewing or continuing a contract of insurance by a company registered to do business in Ontario, and who receives any money or substitute for money as a premium for such a contract from the insured, shall be deemed to hold such premium in trust for the company making the contract and, if he fails to pay the same over to the company after written demand made upon him therefor, less his commission and any deductions to which, by the written consent of the company he may be entitled, such failure shall be *prima facie* evidence that he has used or applied the said premiums for a purpose other than paying the same over to the company.

No compensation to be made by company to person not licensed.

259. No insurance company and no officer or employee thereof and no duly licensed broker shall directly or indirectly pay or allow, or agree to pay or allow compensation or anything of value to any person for placing or negotiating insurance on lives, property or interests in Ontario, or negotiating the continuance or renewal thereof, or for attempting so to do, who at the date thereof is not a duly licensed insurance agent or broker, and whoever knowingly violates the provisions of this section, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Returns to Superintendent.

260. Every registered insurance company shall make a return to the Superintendent in such form and at such times as he may require, showing all persons, partnerships and corporations duly authorized as its agents in Ontario and of persons, partnerships or corporations to whom it has, within such period, as the form of return may require, paid or allowed, or agreed to pay or allow, directly or indirectly, compensation for placing or negotiating insurance on lives, property or interests in Ontario, or negotiating the continuance or renewal thereof, or for attempting to do so.

Penalty for offence under this Part.

261. Any person guilty of an offence under this Part shall incur a penalty not exceeding \$200 and not less than \$20, recoverable under *The Ontario Summary Convictions Act*, and in case of a second or any subsequent conviction, shall be liable to imprisonment for any term not exceeding six months.

Fire Insurance Agents' Commissions.

262.—(1) In this section:—

Interpreta-
tion "Fire
Insurance
Company."

(a) "Fire Insurance Company" shall mean a company carrying on in Ontario any class or classes of insurance other than life insurance, personal accident and sickness insurance, marine insurance, burglary insurance or guarantee insurance.

(b) "Agency charges" shall mean and include the total expenditure of money or money's worth by a fire insurance company in respect of the compensation of any licensed insurance agent or insurance broker either directly or through any person, partnership, corporation or other medium, from which such agent or broker may derive gain or profit; and more particularly, but not so as to restrict the generality of the foregoing, shall include salary, commission, bonus and gift and anything of value paid or allowed to such licensed insurance agent or insurance broker for placing or negotiating insurance on property or interests in Ontario or negotiating the continuance or renewal thereof or for attempting to do so.

"Agency
charges."

(2) From and after the agency Limit of agency charges. charges of a fire insurance company in respect of applications for insurance received from or through the agency of any licensed insurance agent or insurance broker, shall not exceed in value an amount equal to twenty per centum of the total amount of the premiums paid or payable by the assured in respect of insurance upon risks written for a term of more than one year and upon mercantile buildings, and fifteen per centum of the total amount of the premiums paid or payable by the assured in respect of insurance on all annual risks, other than mercantile buildings except as provided in subsection 3 hereof.

(3) Notwithstanding the provisions of subsection 2 hereof every registered fire insurance company may pay, allow or give to not more than one agent who performs, on behalf of the company, special duties of a managerial or supervising character in respect of the business of the company in Ontario, an additional remuneration by way of salary or salary and expense allowance as compensation for the performance of such special managerial or supervising duties.

Additional
remunera-
tion for
special
duties.

Copy of agreement as to additional allowance to be filed with superintendent.

(4) Such additional allowance to an agent as provided for in subsection 3 hereof shall be provided for by an agreement in writing, a duly certified copy whereof shall be filed forthwith in the office of the Superintendent, and the said agreement shall provide that such allowance shall be paid or allowed separate and apart from any commissions paid by the company to such agent in respect of the placing or negotiating insurance on property or interests in Ontario, or negotiating the continuance or renewal thereof or for attempting so to do, and shall be shown in the accounts of the insurance agent, and of the insurance company as an item separate and apart from any such commissions or other compensation.

Record of agency charges to be kept by company.

(5) Every fire insurance company shall keep a true record and account of its agency charges in such form as the Superintendent may from time to time prescribe, and such record and account and all statements, vouchers, contracts or other documents relating thereto, shall at all reasonable times be open to inspection by the Superintendent or his nominee.

Penalty for violation.

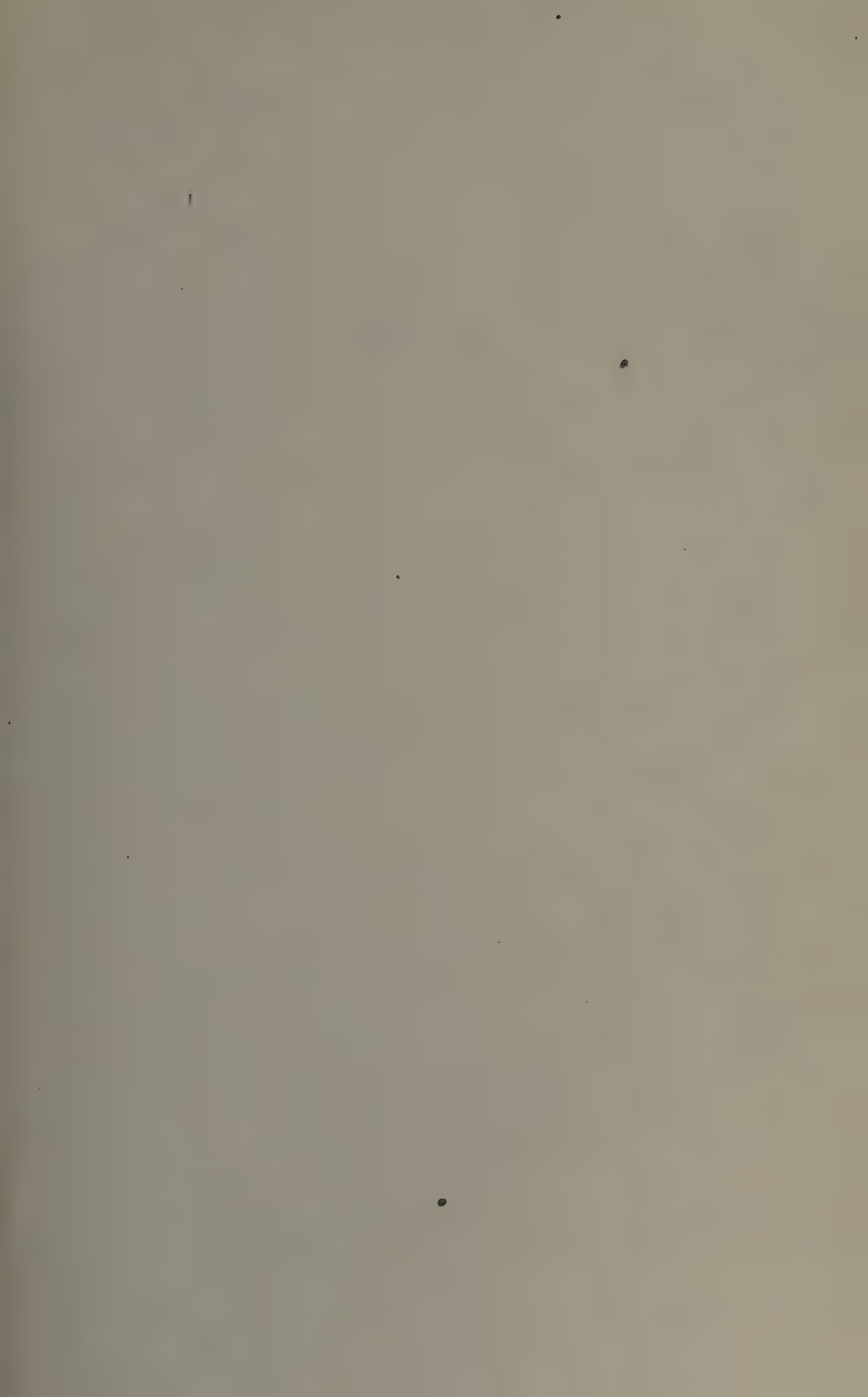
(6) Every fire insurance company which pays, allows or gives to any licensed agent or broker in respect of applications for insurance received from or through the agency of such agent or broker in any calendar month, and every licensed agent or broker who receives from a fire insurance company in any calendar month, agency charges in excess of the amount limited by the provisions hereof in respect of applications for insurance received by such company from or through such agent or broker, shall be guilty of an offence and shall incur the penalties prescribed in section 261 hereof.

Presumption as to agency charges.

(7) In any prosecution under this section every payment, allowance or gift of money or money's worth by a fire insurance company to a licensed agent or broker shall be presumed to have been made on account of agency charges until the contrary be proved.

Application.

(8) The provisions of this section shall not apply to contracts of life insurance, personal accident and sickness insurance, marine insurance, burglary insurance or guarantee insurance.



No. 197.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Insurance
Act.

1st Reading,	1st April, 1921
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RANEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Insurance Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Insurance Amendment Act, 1921.* Short title.

2.—(1) Section 2*a* of *The Ontario Insurance Act* as enacted by section 28 of chapter 27 of the Statutes of 1917 is repealed. Rev. Stat., c. 183, s. 2*a*, as enacted by 1917 c. 27, s. 28, repealed.

(2) Subsections 13 and 16 of section 2 of the said Act as amended by section 28 of chapter 27 of the Statutes of 1917 are amended by striking out the words, "and shall not include any person, firm or corporation mentioned in subsection 2*a*," where they appear at the end of each of the said subsections. Rev. Stat., c. 183, s. 2, subs. 13 & 16 (as amended by 1917, c. 27, s. 28), amended.

3. Subsection 3 of section 69 of the said Act is hereby repealed. Rev. Stat., c. 183, s. 69 (3), repealed.

4. Sections 78*a* to 78*i* both inclusive of *The Ontario Insurance Act*, as enacted by *The Ontario Insurance Amendment Act, 1916*, are hereby repealed, and the following sections are inserted in lieu thereof: Rev. Stat., c. 183, ss. 78*a* to 78*i* (as enacted by 1916, c. 36, s. 2, repealed)

78*a*. "Rates of Contribution" as used in section 78*b* to 78*m* hereof shall mean and include the regular net premiums, dues, rates or contributions receivable from the members for the purpose of the payment at maturity of the society's certificates or contracts of insurance. "Rates of Contribution."

78*b*.—(1) In addition to the annual statement required to be filed under this Act, each society shall file with the Registrar not later than the first day Societies to file actuarial report annually.

of May in each year beginning in the year 1921, a valuation of its certificates or contracts of insurance in force at the last preceding 31st day of December, which valuation shall have regard to the prospective liabilities of the society under its certificates or contracts of insurance and to the rates of contribution to be thereafter received from its members on such certificates according to the rates in force at the date of valuation, and shall be made and certified by an actuary appointed by the society and shall include a valuation balance sheet in such form and detail as the Registrar may from time to time prescribe.

Society
to file
declaration
of actuary,
under what
circum-
stances.

- (2) Where in the opinion of the actuary appointed by the society the valuation balance sheet shows that the society is in a position to provide for the payment of its contracts of insurance as they mature, without deduction or abatement and without increase in its existing rates of contribution, the society shall file with the Registrar a declaration of the actuary to that effect.

Distribu-
tion of
summary
and state-
ment to
members.

- (3) A summary of the valuation certified by the actuary and a statement as to the financial condition of the society disclosed by such valuation shall be mailed to each insured member not later than the first day of June in each year or in lieu thereof such certified summary of the valuation and statement of the actuary may be published in the society's official paper and a copy mailed to each insured member.

Where
assets of
society in-
sufficient,
Registrar
to report
to Minister.

- 78c.—(1) If it appears to the Registrar from the statement and reports filed with him or from an examination or valuation made in pursuance of this Act, that the assets of a registered friendly society applicable to the payment of its insurance contracts are insufficient to provide for the payment of its contracts of insurance at maturity without deduction or abatement and without increase in its existing rates of contribution, he shall make a special report to the Minister as to the financial condition of the society.

Minister
may re-
quest
society to
increase its
rates, etc.

- (2) If the Minister, after consideration of the said report concurs in the opinion of the Registrar, the Minister shall request the society to make, within such time as he may prescribe, but not exceeding four years, such increase in its rates of contribu-

tion or such reduction in the benefits payable under its contracts of insurance or otherwise, as will enable the society to provide for the payment of its contracts of insurance at maturity.

- (3) On receipt of such request the society shall take the steps prescribed by its laws or constitution for putting into effect such changes as may be approved by the actuary appointed by the society for the purpose aforesaid. Society to act upon request.

- (4) Where in the opinion of the governing executive authority of the society a special meeting of the society is desirable for the purpose of considering the request of the Minister, the said governing executive authority of the society may call a special meeting of the supreme legislative body of the society upon such notice as the said governing executive authority may deem reasonable, and as the Registrar may approve and such meeting so called shall be deemed to have been regularly constituted notwithstanding any provisions contained in the constitution and laws of the society. Special meeting to consider request of Minister.

- 78d. A friendly society incorporated under the laws of Ontario may by amendment of its constitution and laws reduce the benefits payable under its contracts of insurance or some of them, or increase the rates of contribution payable by its members as a whole or some class or classes thereof, or make such other changes as are necessary to comply with the aforesaid request of the Minister and such amendments when adopted by a majority of the votes duly cast by the members of the supreme legislative body of the society at a regular or special meeting of the said supreme legislative body of the society duly called shall be binding upon the members of the society and upon their beneficiaries or legal representatives and upon all persons deriving legal rights from any members or beneficiary notwithstanding anything contained in the provisions of its constitution and laws before such amendments, or in its act or instrument of incorporation, or in any contract, policy or certificate of insurance heretofore or hereafter issued by the society. Reduction of benefits.

- 78e.—(1) Where any society does not within the time allowed comply with the request of the Minister as prescribed by subsection 2 of section 78c, Default of society in complying with request of Minister.

the Registrar shall report the default to the Minister, who shall thereupon appoint a readjustment committee of three persons of whom at least one shall be an actuary who shall at as early a date as practicable investigate the assets, liabilities, rates of contribution and plans of insurance of such society and prepare a report containing such amendments to such society's constitution and laws reducing the benefits payable under its contracts of insurance or some of them or increasing the rates of contribution payable by its members as a whole or some class or classes thereof, or such other amendments as said readjustment committee deem necessary in order to provide for the payment of all the contracts of insurance of such society as they mature, in accordance with said amendments.

Amendments in report of adjustment Committee to become part of constitution and laws of society.

- (2) The said readjustment committee shall file such report in the office of the Registrar and deliver to the society a certified copy thereof and immediately upon such report being filed with the Registrar the amendments contained therein shall be and become part of the constitution and laws of such society and shall be valid and binding upon all its members and upon their beneficiaries or legal personal representatives and upon all persons deriving legal rights from any member or beneficiary notwithstanding anything contained in the provisions of its constitution and laws before such amendments or in its act or instrument of incorporation or in any policy or certificate of insurance issued by such society.

Date to be fixed in report.

- (3) The said readjustment committee shall in the said amendments fix a date not more than six months after the date of filing of the report when the reduction of benefits or increase in the rate of contribution provided for by such amendments shall be in full force and effect.

Expenses.

- (4) Such society shall bear the expense of the investigation and report and furnish the readjustment committee with required information.

Where society unable to furnish declaration of actuary.

- 78f.—(1) Where a society which is unable to furnish the declaration of an actuary prescribed in subsection 2 of 78b has heretofore adopted or shall hereafter adopt new rates of contribution which

in the opinion of the actuary appointed by the society, filed with the Registrar, make reasonable provision for the payment in full at maturity of the contracts of insurance issued to its members who have entered or shall enter the society upon such new rates of contribution, such society shall, after the payment of the matured contracts of such members, create and from time to time maintain out of the rates of contributions of such members and interest accretions thereto, a reserve fund not less than the amount which, with the rates of contributions to be collected from such members, is, in the opinion of the actuary, required to pay in full such contracts of insurance as they mature, and such fund shall be a separate fund of the society and shall not be liable for payment of the debts and obligations of the society under its contracts of insurance with those members who have not contributed to the funds of the society under said new rates of contribution or under the provisions contained in subsection 2 of this section.

- (2) The society may provide in its constitution and laws for the issue of new certificates to members admitted to the society prior to the establishment of such fund upon such terms and conditions as will in the opinion of the actuary appointed by the society certified in writing to the Registrar enable the society to pay in full the contracts of insurance issued to such members as they mature and the provisions of subsection 1 of this section shall apply to such new certificates. New certificates may be issued.
- (3) The annual valuation of the actuary of the society maintaining a separate fund as hereinbefore prescribed shall show clearly and separately and in such detail as the Registrar may require, the financial position of the society in respect of the certificate of insurance included, and those not included within the scope of the separate fund. Annual valuation of actuary, what to show.
- (4) When a society which has been maintaining a separate fund for new members in accordance with the provisions of this section files with the Registrar a declaration of the actuary appointed by the society in accordance with the provisions of subsection 2 of section 78b, the separate fund Merger of funds.

may, with the approval of the Registrar, be merged with the other funds of the society of a kindred nature.

- (5) Nothing herein contained shall prevent a society which maintains a separate fund as hereinbefore described, from maintaining a common expense fund.

Life insurance of children.

78g.—Where a society is authorized by its constitution and laws and undertakes in Ontario to insure the lives of children the rates of contribution for such child insurance shall be approved by an actuary and the society shall maintain out of the rates paid upon contracts of child insurance and interest accretions thereto, a separate fund for the payment at maturity of such contracts, and the actuary appointed by the society to value its contracts of insurance shall make a separate valuation of the outstanding child insurance contracts, and shall show the amount of the fund held for such contracts.

Society may limit period to twenty years, under what circumstances.

78h.—A society which files with the Registrar the declaration prescribed by subsection 2 of section 78b or a society that is maintaining a separate fund for its contracts of insurance as prescribed by section 78f may provide in its constitution and laws for the issue of contracts of life insurance wherein the regular rates of contributions payable thereunder may be limited to a period of twenty or more years, provided such rates of contribution have been approved by an actuary and provided further that such certificates of insurance shall be subject to the provisions of subsection 1 of section 78f, but such limitation of payments shall not affect the right of the society to make an assessment or assessments in respect of such certificates in accordance with the constitution and laws of the society either during or after the period of such limited payments.

Proviso.

Epidemic or unforeseen contingency.

78i.—In the event of an epidemic or other unforeseen contingency impairing the funds of a society the governing executive authority of the society may impose a special assessment or special assessments upon the members of the society or upon such class or classes thereof and with such incidence as in the opinion of the governing executive authority is deemed necessary and equitable,

and such special assessment or assessments shall be binding on the members of the society notwithstanding anything to the contrary in its act or instruments of incorporation or its constitution and laws, or in any certificate of insurance heretofore or hereafter issued by the society.

78j.—A society whose valuation balance sheet prescribed by subsection 1 of section 78b shows a surplus of assets of more than five per centum over and above all net liabilities may apply such portion of such surplus as may be approved by the actuary appointed by the society, in the manner prescribed by the constitution and laws of the society.

Application
of surplus.

78k.—On and after January 1st, 1922, every registered friendly society shall, before putting into effect any new or additional benefits or any new scale of rates of contribution under certificates of insurance, file with the Registrar a certificate of an actuary approving of such benefits or rates of contribution.

Certificate
of approval
of actuary
to be filed
with Registrar
before
putting into
effect new
benefits.

78l.—Sections 78a to 78n, both inclusive, shall not apply to a society registered for the transaction of sick and funeral benefits only, nor to the sick and funeral benefits contracts issued by any society; and subsection 4 of section 98 shall not apply to a society that furnishes to the satisfaction of the Registrar, a declaration of an actuary prescribed by subsection 2 of section 78b.

Sections
78a, 78n,
and section
98 (4),
to what not
to apply.

78m.—The term "actuary" as hereinbefore used shall mean a Fellow of the Actuarial Society of America, or of the Institute of Actuaries of Great Britain, or of the Faculty of Actuaries in Scotland, provided however, that an actuary who, for a period of not less than five years preceding the date of the passing of this Act, has been serving a registered friendly society transacting business in Ontario on the said date as its actuary, and who has been in active practice as an actuary for a period of not less than twenty-five years prior to the said date, may for the purpose of this Act, with the consent of the Registrar, be continued as an actuary of any such society by which at the said date he is employed as actuary.

"Actuary."

Rev. Stat.,
c. 183,
s. 102 (1),
amended.

5.—(1) Subsection 1 of section 102 of *The Ontario Insurance Act* is amended by inserting after the word “superintendent” in the fourth line thereof the following words: “and a registered corporation mentioned in subsection 1 of section 69 shall keep such a classification of its contracts and such registers and books of account in reference to the business of the corporation in Ontario as may be prescribed by the superintendent.”

Rev. Stat.,
c. 183,
s. 103,
amended.

(2) Section 103 of the said Act is amended by inserting after the word “corporation,” in the first line thereof, the words, “other than those mentioned in subsection 1 of section 69.”

Rev. Stat.,
c. 183,
amended.

6. The said Act is amended by adding thereto the following section:—

Returns of
registered
corpora-
tions.

103a.—(1) Every registered corporation shall annually or whenever required to do so by the superintendent make a sworn return to the department of such information in respect of the business of the corporation in Ontario as the superintendent may require, and more particularly but not so as to restrict the generality of the foregoing, the superintendent may require hereunder information in regard to the classification of the contracts and risks of the corporation, the rates of premium charged, the premium income, losses, names and addresses of authorized agents and of brokers dealing with the corporation, commissions or other remuneration paid to agents and others, particulars of expense, matters of record in the registers and books of account mentioned in section 102 and the affairs and standing of the corporation generally.

Refusal
or neglect
to file
returns.

(2) A corporation refusing or neglecting to file such a return or to make prompt and explicit answer to any enquiry at any time put by the superintendent, touching the matters referred to in the return, within thirty days after the date of receipt by the corporation of a written request for such return or such information or within such further time as the superintendent may allow by notice in writing, shall be guilty of an offence and shall, for each offence incur a penalty recoverable under *The Ontario Summary Convictions Act*, of \$10 for every day during which the default continues beyond the limit of time herein prescribed.

No. 198.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Insurance
Act.

1st Reading, 1st April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Public Trustee Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Public Trustee Amendment Act, 1921*.

2. *The Ontario Public Trustee Act* is amended by adding 1919 c. 32, amended. thereto the following section:

11a.—(1) Notwithstanding anything contained in *The Surrogate Courts Act* or in any other Act, or in any regulations made under the authority of any Act, the Lieutenant-Governor in Council may by regulation prescribe the forms to be used in support of applications to the Surrogate Court for letters of administration in favour of the Public Trustee. Forms of applications.

(2) Notice of every application for letters of administration of the estate of a person who has died in Ontario intestate and without leaving any known relative living in Ontario, or any known relative who can be readily communicated with living elsewhere, shall be given to the Public Trustee before the issue of the letters of administration to any other person, and the Public Trustee may, within thirty days after the receipt of such notice, apply for, and shall be entitled to have granted to him letters of administration to the estate of such deceased person. Notice to Public Trustee, where no relative of deceased in Ontario.

3. Notice of the passing of the account of an executor, administrator, or trustee where a person of unsound mind is interested who is confined in a Provincial Hospital for Passing of accounts.

Rev. Stat.,
c. 62,
s. 71 (5),
amended.

the Insane, shall be served on the Public Trustee instead of on the Inspector of Prisons and Public Charities, and subsection 5 of section 71 of *The Surrogate Courts Act* is amended by striking out the words "Inspector of Prisons and Public Charities" at the end of the said subsection and inserting in lieu thereof the words "Public Trustee."

Rev. Stat.,
c. 62, s. 71,
amended.

4. Section 71 of *The Surrogate Courts Act* is amended by adding thereto the following subsections:

Notice
of taking
account to
be served
on Public
Trustee.

- (6) Where by the terms of a will or other instrument in writing under which such an executor, administrator or trustee acts, real or personal property or any right or interest therein, or proceeds therefrom have heretofore been given, or are hereafter to be vested in any person, executor, administrator or trustee for any religious, educational, charitable or other purpose, or are to be applied by him to or for any such purpose, notice of taking the account shall be served upon the Public Trustee, who shall thereupon have the same rights on the passing of such account as any other person interested in the estate.

Where
person to
whom ad-
ministra-
tion
granted is
not next-
of-kin.

- (7) Where a person has died intestate in Ontario and administration has been granted to some person, not one of the next-of-kin, and it appears to be doubtful whether the intestate left any next-of-kin him surviving or that there are no known next-of-kin resident in Ontario, notice of taking the account shall be served upon the Public Trustee.

Rev. Stat.,
c. 119,
s. 21 (6),
amended.

5. Subsection 6 of section 21 of *The Devolution of Estates Act* is amended by striking out the words "Inspector of Prisons and Public Charities" in the first line and the word "Inspector" where it occurs respectively in the fifth and seventh lines, and inserting in lieu thereof the words "Public Trustee," so that the subsection will read as follows:—

Where
lunatic
beneficially
entitled.

- (6) Where the Public Trustee is the statutory committee under the provisions of *The Hospitals for the Insane Act* of a lunatic beneficially entitled, it shall be the duty of the Official Guardian to notify the Public Trustee of any sale to which he has consented, and he may, by leave of the Supreme Court or a judge thereof, pay to the Public Trustee the share of such lunatic or such part thereof as the court or judge may direct.

6. Notice of applications for an order for the sale of order for lands held by trustees for a charitable purpose upon the sale of ground that such lands can no longer be used advantageously by trustee, for such purpose, shall be given to the Public Trustee instead of to the Attorney-General, and subsection 2 of section 18 of *Rev. Stat., The Trustee Act* is amended by striking out the words c. 121, "Attorney-General of Ontario" and inserting in lieu thereof s. 18 (2), amended. the words "Public Trustee."

7.—(1) Section 2 of *The Charities Accounting Act*, 1915, is amended by striking out the words "and to the c. 23, s. 2, Official Guardian," in the eighth and ninth lines thereof. amended.

(2) Section 4 of the said Act is amended by striking out 1915, the words "or to the Official Guardian," in the second line c. 23, s. 4, thereof. amended.

(3) Section 5 of the said Act is amended by striking out 1915, the words "or by the Official Guardian," in the second line c. 23, s. 5, thereof. amended.

(4) Section 6 of the said Act is amended by striking out 1915, the words "or of the Official Guardian," in the fourteenth c. 23, s. 6, and fifteenth lines thereof. amended.

(5) Clause c of subsection 1 of section 7 of the said 1915, Act is amended by striking out the words "or to the Official c. 23, s. 7, Guardian," in the third line thereof. subs. 1, clause c, amended.

(6) Section 7 of the said Act is further amended by 1915, adding thereto the following subsections:— c. 23, s. 7, amended.

(4) Where an application is made for letters probate When
of any will or other testamentary instrument Surrogate
whereby real or personal property or any right Registrar
or interest therein or proceeds therefrom are to transmit
given to or vested in any person as executor or copy of
administrator for any religious, educational, will to
charitable or other purpose or are to be applied Public
by him to or for any such purpose, the Surro- Trustee.
gate Registrar shall transmit a copy of such will
or other instrument to the Public Trustee.

(5) Where an action or other proceeding is brought Notice of
to set aside, vary or construe any such will or action to
other instrument, written notice thereof shall set aside
be served upon the Public Trustee, and if no will to be
one appears as representing the religious, edu- served on
cational, charitable or other public institution, Public
or if there is no named beneficiary, or a discre- Trustee.

tion is given to the executor or trustee as to a choice of beneficiaries, the Public Trustee may intervene in such proceedings and shall have the right to object or consent and to be heard upon any argument as a party to such action or proceeding.

Rev. Stat.,
c. 73, ss.
2-3, re-
pealed.

8. Sections 2 and 3 of *The Crown Administration of Estates Act* are repealed and the following substituted therefor:—

Where
adminis-
tration
may issue
to Public
Trustee.

2. Where in the case of any person dying intestate or intestate as to some part of his estate, it appears that in respect of the interest of His Majesty, administration may be rightfully granted to his nominee, any competent court, upon application of the Public Trustee may grant administration to the Public Trustee for the use and benefit of His Majesty.

Adminis-
tration
where in-
testate
leaves no
known
relatives in
Ontario.

3. Where any person dies in Ontario intestate and without leaving any known relative living within Ontario or any known relative who can be readily communicated with living elsewhere, the Public Trustee may apply for letters of administration, general or limited, of the estate of such person and any competent court upon such application may grant administration to the Public Trustee for the use and benefit of His Majesty or of such persons as may ultimately appear to be entitled thereto.

Commence-
ment of
Act.

9. This Act shall come into force on the 1st day of September, 1921.

No. 199.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Public
Trustee Act.

1st Reading,	1st April,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Division Courts Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 4 of section 47 of *The Division Courts Act*, Rev. Stat., c. 63, s. 47 (4) (as enacted by 1914, c. 2), amended. as enacted by chapter 2, Schedule (19), 1914 Statutes, is amended by striking out the figures “\$500” in the second line thereof and substituting therefor the figures “\$1,000,” and by striking out the figures “\$2” in the fifth line thereof and substituting therefor the figures “\$4.”

2. Subsection 2 of section 65 of *The Division Courts Act*, Rev. Stat., c. 63, s. 65 (2), amended. is amended by striking out the words “or to appoint a receiver” in the second line thereof.

3. Section 87 of *The Division Courts Act* is amended by striking out the figures “\$15” in the first and third lines thereof and substituting therefor the figures “\$30.” Rev. Stat., c. 63, s. 87, amended.

4.—(1) Clause *a* of section 125 of *The Division Courts Act* is amended by striking out the figures “\$100” in the second line thereof and substituting therefor the figures “\$200.” Rev. Stat., c. 63, s. 125, cls. a and b amended.

(2) Clause *b* of section 125 of the said Act is amended by striking out the figures “\$60” in the last line thereof and substituting therefor the figures “\$100.”

5. Section 130 of *The Division Courts Act* is repealed and the following substituted therefor:— Rev. Stat., c. 63, s. 130, repealed.

130. Either party may require a jury in any class of action where the amount sought to be recovered exceeds \$100. When a jury may be required.

6. Section 144 of *The Division Courts Act* is amended by adding the following subsection:— Rev. Stat., c. 63, s. 144, amended.

- (4) When in the opinion of the judge the action is one that ought to be tried without a jury, the judge shall have power to direct that the action be taken out of their hands.

Rev. Stat.,
c. 63,
s. 145 (6),
repealed.

7. Subsection 6 of section 145 of *The Division Courts Act* is repealed and the following substituted therefor:—

Fees of
jurors.

- (6) The clerk shall pay the 5 jurors impanelled and sworn the sum of \$3 and 10 cents per mile for every mile in excess of 2 miles necessarily travelled from his place of residence to the place at which the court is held, but to the jurors not impanelled, but who attend during the sittings of the court in which they have been summoned and who do not attend as witnesses or litigants, the sum of \$1.50 and 10 cents per mile in excess of 2 miles necessarily travelled from his place of residence, but the judge shall have the power to increase or reduce the fee for the jurors not impanelled.

Rev. Stat.,
c. 63, s. 225,
repealed.

8. Section 225 of *The Division Courts Act* is repealed and the following substituted therefor:—

Board shall
certify
rules and
tariffs to
Lieutenant-
Governor
in Council.

225.—(1) The board of four members thereof, shall certify all rules and tariffs so made to His Honour the Lieutenant-Governor in Council for approval.

Notice of
rules and
tariffs to
be pub-
lished in
"Ontario
Gazette."

- (2) The rules and tariffs, after approval, shall be forwarded to the Provincial Secretary and a notice that the rules and tariffs so approved have been received by the Provincial Secretary shall be published in *The Ontario Gazette*, and from and after the first publication of the notice, the rules shall come into operation, and have the same force and effect as if they had been made and included in this Act.

Expenses
provided
for.

- (3) The Lieutenant-Governor may direct the Treasurer of the Province to pay out of the consolidated revenue fund the expenses connected with the making, approval and printing of the rules and tariffs.

Rev. Stat.,
c. 63, s. 232,
amended.

9. Section 232 of *The Division Courts Act* is amended by striking out the figures "\$100" in the fourth line thereof and substituting therefor the figures "\$200."

No. 200.

2nd Session, 15th Legislature.
11 George V, 1921.

BILL.

An Act to amend The Division Courts
Act.

1st Reading:	1st April, 1921.
2nd Reading:	1921.
3rd Reading:	1921.

Mr. HAY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The County Judges Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The County Judges Act*, Short title.
1921.

2. Section 7 of *The County Judges Act* is repealed and Rev. Stat.,
c. 58, s. 7,
repealed.
the following substituted therefor:—

7. Additional junior judges to a number not exceeding County of
York.
five in all may be appointed for the County of
York.

3. Subsection 1 of section 20 of *The County Judges Act*, Rev. Stat.,
c. 58,
s. 20 (1),
(as enacted
by 1919,
c. 26, s. 4),
amended.
as enacted by section 4 of *The County Judges Act, 1919*,
is amended by striking out the words “two or more coun-
ties” in the second line and substituting therefor the words
“a county or two or more counties.”

No. 201.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The County Judges Act.

1st Reading.	4th April, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The County Judges Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The County Judges Act*, Short title.
1921.



2. Section 5 of *The County Judges Act*, as enacted by 1919, section 2 of *The County Judges Act* 1919, is repealed and the following substituted therefor:—

5. A junior judge may be appointed for each of the
counties of Wentworth and Carleton.

Junior
judge in
counties of
Wentworth
and
Carleton.

3. Section 7 of *The County Judges Act* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 53, s. 7,
repealed.

7. Additional junior judges to a number not exceeding
five in all may be appointed for the County of
York.

County of
York.

4. Subsection 1 of section 20 of *The County Judges Act*, as enacted by section 4 of *The County Judges Act*, 1919, is amended by striking out the words "two or more counties" in the second line and substituting therefor the words "a county or two or more counties."

Rev. Stat.,
c. 53,
s. 20 (1),
(as enacted
by 1919,
c. 26, s. 4),
amended.

No. 201.

2nd Session, 15th Legislature.
11 George V, 1921.

BILL.

An Act to amend The County Judges Act.

1st Reading, 4th April, 1921.
2nd Reading, 12th April, 1921.
3rd Reading, 1921.

*(Reprinted for Committee of the Whole
House.)*

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Telephone Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Telephone Amendment Act, 1921*.

2. Section 3 of *The Ontario Telephone Act, 1918*, is repealed and the following is substituted therefor:—

8 Geo. V,
c. 31, s. 3,
repealed.

PART I.

Telephone System Operated as a Public Utility.

- 3.** The corporation of every municipality may establish and carry on a telephone business as a public utility, and for the purposes of such business may construct, maintain and operate in, over, under, upon or across the highways, lanes, parks, squares and other public ways, passages and places in the municipality, or in, over, under, upon or across the land of any person therein, an underground or overhead or partly underground and partly overhead telephone system, and do all things necessary or convenient for that purpose.
- 3a.** The corporation may for the purpose of establishing or carrying on such business acquire, by purchase or lease or, subject to the provisions of Part II in that behalf may expropriate any telephone system in the municipality (hereinafter designated the initiating municipality) established under any former or other Act or under Part II.

Establishment and operation of telephone business as public utility.

Municipality may purchase, lease, or expropriate existing telephone systems.

Debentures of acquired system to be paid by municipality.

- 3b. Where a system established under Part II is acquired by a municipality under section 3a the debentures theretofore issued under Part II and then outstanding and unpaid shall cease to be a charge upon the lands of the respective subscribers or any of them and the same as they mature and fall due and the interest upon them shall be met and paid by a rate to be imposed by the corporation upon all the rateable property in the municipality.

Right of passage where building has more than one owner or occupant.

- 3c. Where parts of any building in the municipality are owned or occupied by different persons the corporation may carry wires to any part of such building, and for that purpose may pass over or through or under the property belonging to any owner, or in the possession of any tenant or occupant.

Provisions of Rev. Stat., c. 204, to apply.

- 3d. The provisions of Part III and Part IV of *The Public Utilities Act* shall, *mutatis mutandis*, apply to a corporation so establishing and carrying on a telephone system and the words "public utility," where they occur in said Parts III and IV, shall include telephone service.

Power of municipality to pass by-law to borrow money for extension or acquisition of system.

- 3e. Where a municipal corporation has heretofore constructed, purchased or acquired or hereafter constructs, purchases or acquires a telephone system under this Part or where such corporation has undertaken the construction, purchase or acquisition of a telephone system, and it appears that the cost of such construction, purchase or acquisition has exceeded or will exceed the amount already provided for that purpose or where it is deemed expedient by the council of such municipal corporation from time to time to construct an extension or extensions or any improvement or improvements of such telephone system, the council may pass a by-law or by-laws for borrowing such further or other sum or sums as may be necessary to extend, improve or complete such telephone system or the purchase or acquisition of the same or to meet the cost of extensions or improvements already made to such telephone system; and

Assent of electors not required where by-law is passed by three-fourth vote of council and approved by board.

- (a) The by-law shall not require the assent of the electors if it is passed by a vote of three-fourths of all the members of the council and is approved by the board; and

- (b) Such approval may be given if it is shown to the satisfaction of the board that the expenditure proposed to be made for any
- such extension or improvement, or for the completion of such telephone system or such purchase or acquisition is necessary, and that a sufficient revenue or sufficient additional revenue will be derived therefrom to meet the annual payments in respect of such debt and the interest thereon.

When board may approve by-law.

3f. Sections 11, 12, 13, 24, 25, 26, 27, 28, 58, 59, 60, 61, 62 and 66 of Part II and Parts V and VI of this Act shall, *mutatis mutandis*, apply to a municipal corporation carrying on a telephone business as a public utility under this Part.

Application of certain sections in Parts II, V and VI.

3. Section 16 of *The Ontario Telephone Act, 1918*, is amended by striking out the words "Part I" at the end thereof and substituting therefor the words "section 3."

8 Geo. V, c. 31, s. 3, amended.

4. *The Ontario Telephone Act, 1918*, is amended by adding the following as section 21a:—

21a. The initiating municipality may with the approval of the board and without obtaining the assent of the ratepayers, pass by-laws authorizing the issue of debentures to meet the cost of making an extension or extensions to the system for the purpose of furnishing service to persons not being assessed landowners, but before approving of any such by-law the board shall be satisfied that such extension or extensions is or are necessary and that a sufficient additional revenue will be derived therefrom to meet the annual payments of principal and interest in respect of the debt created by the issue of such debentures.

Power of initiating municipality to borrow on debentures without assent of ratepayers where issue is approved by the board.

5. *The Ontario Telephone Act, 1918*, is amended by adding the following as section 27a:—

8 Geo. V, c. 31, amended.

27a. When a municipality owning and operating or intending to own and operate a telephone system has taken proceedings under this Act to acquire a part of the telephone system of a municipality operating on such first named municipality or in an adjoining municipality and the parties are unable to agree upon the price to be paid for the same the board shall

Arbitration by board where parties fail to agree.

have full power and authority to settle the terms and conditions of such acquisition including the price to be paid and all other matters proper to be taken into consideration and adjusted in the premises.

8 Geo. V,
c. 31,
amended.

6. *The Ontario Telephone Act, 1918*, is amended by adding the following as section 57a:—

Quorum,
proxies.

57a. The presence in person or by proxy of at least fifty subscribers or of one-fourth of all the subscribers shall be necessary to constitute a quorum at general meetings, and the instrument appointing a proxy shall be in writing under the hand of the appointer, or if such appointer is a corporation, under its common seal, and shall be attested by at least one witness, and no person shall be appointed a proxy who is not a subscriber.

8 Geo. V,
c. 31,
amended.

7. *The Ontario Telephone Act, 1918*, is amended by adding the following as sections 74a and 74b:—

By-laws
to be ap-
proved by
board.

74a. A company may pass by-laws regarding the control and management of its undertaking, its dealings with the public and for the use, protection and care of its property, but no such by-laws shall have any force or effect or be acted upon until approved by the board.

Rev. Stat.,
c. 178,
ss. 162, 163
and 164
not to
apply.

74b. The provisions of sections 162, 163 and 164 of *The Ontario Companies Act* shall not be applicable to telephone systems established under this Act.

8 Geo. V,
c. 31,
s. 95,
repealed.
t

8. Section 95 of *The Ontario Telephone Act, 1918*, is repealed and the following substituted therefor:—

Prohibition
against
inter-
ference
with in-
struments by
individuals.

95.—(1) No person upon whose premises a telephone instrument, wiring or other equipment is installed shall use or interfere with or permit such telephone instrument, wiring or other equipment to be used or interfered with so as to injure or damage the same or so as to prevent the convenient use of the circuit to which such telephone instrument is connected for the transmission of telephone conversations or messages.

- (2) Any person guilty of a breach of this section shall incur a penalty of \$25 for each offence, recoverable under *The Ontario Summary Convictions Act*. Penalty.

9. Subsection 1 of section 105 of *The Ontario Telephone Act, 1918*, is amended by striking out all the words after the word "system" in the fifteenth line thereof. 8 Geo. V,
c. 35,
s. 105 (1),
amended.

No. 202.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Telephone
Act.

1st Reading,	4th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. DRURY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The School Attendance Act, 1919.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Attendance Amendment Act, 1921*. —Short title.

2. Subsection 1 of section 5 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the following clause:— 1919, c. 77, s. 5, subs. 1. amended.

(g) The child is absent from school for the purpose of receiving instruction in music and the period of such absence does not exceed one half day in each week. Excusing attendance during music lessons.

No. 203.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The School Attendance
Act, 1919.

1st Reading.	5th April, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. BRACKIN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Community Halls Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Community Halls Amendment Act, 1921*.

2. Section 10 of *The Community Halls Act, 1920*, is amended by adding the words “continuation school or high school in a township or incorporated village” after the word “school” in the second line thereof, and the words “continuation school or high school” after the word “school” in the sixth line thereof.

1920, c. 72,
s. 10,
amended.
Arrangement
with
school
boards.

3. The said Act is further amended by adding thereto the following section:—

1920, c. 72,
amended.

13.—(1) In territory without municipal organization a community hall or athletic field may be established with the approval of the Minister and subject to the regulations, by a board of public school trustees or a board of separate school trustees in connection with any school maintained by such board.

Establishment of
community
hall or
athletic
field in
unorganized
territory.

(2) Where a community hall or athletic field is established under subsection 1, the property shall be vested in the board of school trustees, and the like grant may be payable to the school trustees as in the case of a community hall or athletic field established in a municipality and the terms of this Act shall otherwise apply.

Property
to be
vested in
school
board.

No. 204.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Community Halls
Act.

1st Reading, 6th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. DOHERTY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Provincial Aid to Drainage.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Provincial Aid to Drainage Act, 1921*. R.S.O. 1914, c. 42, s. 1. (Short title.)

2. In this Act "drainage work" shall mean and include any drainage work to which *The Municipal Drainage Act* applies. R.S.O. 1914, c. 42, s. 2. Interpretation—
"Drainage work."

3. This Act shall apply to the construction, improvement and re-construction of— Application of Act.

(a) The trunk channel of any drainage work where the cost of such trunk channel, exclusive of lateral drains or branches, but including a *pro rata* share of all incidental expenses, exceeds the sum of \$10,000;

(b) Any work for the purpose of rendering more effective a drainage work by embanking or pumping or other mechanical means where the cost of such work including the cost of all pumping machinery installed exceeds the sum of \$10,000. R.S.O. 1914, c. 42, s. 3, amended.

4. The council of a municipality initiating a drainage work, being or including work to which this Act applies, may, within one year after adopting the engineer's report, apply to the Lieutenant-Governor in Council by petition verified by a statutory declaration of the engineer, and setting forth the reasons why the whole cost of the work should not be assessed upon the land which would be liable to assessment therefor under *The Municipal Drainage Act*, and that aid should therefore be granted, accompanied by a verified Application for aid.
Rev. Stat., c. 198.

copy of the report, a statement of the cash value and the engineer's assessment of the land, and a field plan and profile of the proposed work. R.S.O. 1914, c. 42, s. 4.

Examina-
tion and
grant of
aid on
report.

5. When it appears that the drainage work is or includes a work to which this Act applies, the Lieutenant-Governor in Council may cause an examination thereof to be made by an engineer of the Public Works Department, who shall report fully thereon and upon all matters alleged in the petition, and upon his report and on the practical completion of the work, the Lieutenant-Governor in Council may assume and pay out of the Consolidated Revenue Fund to the treasurer of the initiating municipality, twenty per cent. of the cost of the work as described and limited in section 3 of this Act. R.S.O. 1914, c. 42, s. 5, amended.

Rev. Stat.,
c. 42,
repealed

6. *The Provincial Aid to Drainage Act*, being chapter 42 of the Revised Statutes of Ontario, 1914, is repealed.

No. 205.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Provincial Aid to
Drainage.

1st Reading,	6th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. Briggs.

BILL

An Act to provide for the Construction of Township Roads by Special Assessment

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township Road Assessment Act, 1921.* Short title.

2. In this Act,—

Interpreta-
tion.

“Engineer” shall include a township road superintendent appointed by the council of the township, in pursuance of section 11 of *The Ontario Highways Act, 1915.* “Engineer.”

3. Upon the petition of not less than two-thirds of the owners of land within the area described in the petition, whose names are entered on the last revised assessment roll of the township representing at least one-half the value of all the land in such area according to the last revised assessment roll, praying for the undertaking and carrying out of any of the following works for the benefit of such area:—

Upon
petition,
council
may have
plans
drawn and
assessment
fixed to
carry out
certain
works
within
area de-
scribed in
petition.

(a) The grading of any road;

(b) Drainage for road purposes;

(c) Gravelling, metalling with broken stone, or the construction of any approved kind of road surface;

(d) The construction, re-construction or permanent improvement of culverts, bridges and approaches on roads;

(e) The opening of a new road or the re-locating, widening or straightening of any existing road;

(f) The purchase of gravel pits, or stone quarries,

the council of the township may procure an engineer to make an examination and to prepare a report, plans, specifications and estimates of the proposed work and to make an assessment of the lands lying within such area, setting out the amount which should be assessed against each lot or part of lot in such area to meet the cost of the said work.

Form of
petition.

4. The petition shall be according to Form 1, or to the like effect.

Engineer
to take
affidavit
in form
prescribed.

5. Every engineer appointed under this Act, before entering upon his duties, shall take and subscribe the following oath and shall file the same with the clerk of township:—

In the matter of The Township Road Assessment Act.
1921.

I (name in full), of the _____ of _____,
in the township of _____, engineer
make oath and say, that I will to the best of my
skill, knowledge, judgment and ability, honestly
and faithfully, and without fear of, favour to,
or prejudice against, any owner, perform the
duties from time to time assigned to me in con-
nection with any work under *The Township
Road Assessment Act, 1921*, and make a true
and just award thereon.

Sworn before me at the
of
in the of
this day of
19 .

A commissioner, etc. (or township clerk, or J.P.)

**Engineer
to file
his report
with clerk
of town-
ship.**

6. The engineer shall, as soon as his report, plans, specifications, estimates and assessments are completed and within six weeks after his appointment, or within such further time as the council may in its discretion from time to time appoint, file the same in duplicate with the clerk of the township, and the clerk shall forthwith send one of such duplicates to the Department of Public Highways for its approval.

7. After the approval of the Department is received, a special meeting of the council at which the report of the engineer will be considered shall be held not less than twelve

days and not more than thirty days from the date of receiving the approval of the Department.

8. Not less than ten days before the date of the special meeting, the clerk of the township shall by registered letter post notify each of the owners assessed of such assessment, and the amount thereof and the date of such special meeting.

Notice to owners to be assessed.

9. The council shall at the time and place mentioned in such notice, immediately after dealing with the minutes of the last meeting, cause the report to be read by the clerk to all the owners in attendance, and shall give an opportunity to any owner who signed the petition to withdraw his name from it by filing with the clerk a notice signed by himself withdrawing his name from the petition and shall also give to any owners of land in such area whose names are entered on the last revised assessment roll and who did not sign the petition an opportunity to do so.

Procedure at special meeting; opportunity to be given owners to withdraw from or to sign the petition.

10. If after opportunity has been given to withdraw from and to sign the petition the clerk certifies that the petition is sufficiently signed to meet the requirements of section 3, it shall be the duty of the council to adopt the report by resolution and to pass a by-law for undertaking the work and imposing the assessments on the land as provided by the report; but if the clerk certifies that the petition is not sufficiently signed to meet the requirements of section 2, no further proceedings shall be taken in connection with the proposed work, but all the expenses incurred by the council shall be paid by the owners who withdrew their names and by the other owners who signed the petition before the special meeting in proportion to the amount of their assessments, except that the owners who withdrew their names from the petition shall be chargeable on double the amount of their assessments and the amount for which each owner is liable shall be a lien and charge against his land and shall be entered by the clerk in the collectors' roll and shall be collected in like manner as other municipal taxes.

Adoption of report if petition sufficiently signed; expenses to be paid by petitioners if report not adopted.

11. The cost of any work undertaken under this Act shall be borne as follows: forty per centum by the owners assessed, forty per centum by the corporation of the township at large and twenty per centum by the Province of Ontario.

Apportionment of cost of work.

12. The cost of any work carried out under this Act, when approved by the Department as provided by section 6, shall be deemed to be an expenditure on township roads

Work done within meaning of 10-11 Geo. V, c. 22, and payment out of Consolidated Revenue Fund.

within the meaning of *The Ontario Highways Act, 1920*, and upon receipt of the application and the approval thereof by the proper officer of the Department, the Minister may direct payment to the township treasurer of the amount of the subsidy and such amount shall be payable out of the Consolidated Revenue Fund, and shall be chargeable to the Highway Improvement Fund Account.

Appeal by
owner.

13. Any owner assessed may within ten days after the passing of the by-law appeal to the judge of the county court against any assessment contained in the by-law.

Notice of
appeal
to be
served
on clerk
of town-
ship.

14. The appellant shall serve upon the clerk of the township a notice in writing of his intention to appeal, briefly setting forth the grounds thereof.

Clerk to
forward
particulars
to judge
who shall
fix time
for hearing
appeals.

15. The clerk, after the expiration of the time for filing appeals, shall transmit by registered letter post or deliver a copy of the notices of appeal and a certified copy of the by-law and the plans and specifications to the judge, who shall forthwith, upon the receipt thereof, notify the clerk of the time and place he appoints for the hearing of appeals.

Security
for costs.

16. The judge may order such sum to be paid by the appellant to the clerk as will be a sufficient indemnity against the cost of the appeal.

Clerk
to notify
engineer,
appellants
and
owners
of hearing
of appeal.

17. The clerk, on receiving notice from the judge, shall forthwith notify the engineer, each appellant and each owner against whose assessment an appeal is made, with notice of the time and place fixed for the hearing of appeals.

Clerk of
township
to act
as clerk at
hearing.

18. The clerk of the township shall act as clerk at the hearing and shall record the proceedings.

Powers of
judge on
appeal.

19. The judge shall have the same power to compel the attendance of witnesses for examination on oath as he has when sitting in the county court, and may inspect the land and may require the engineer to accompany him, and may alter or confirm any assessment appealed against, and correct any manifest errors in any other assessment which may be brought to his attention.

Cost.

20. The awarding of costs in any appeal shall be on the discretion of the judge.

Authority
of judge
to deprive
engineer
of his
fees.

21. If the judge finds that the engineer has knowingly and wilfully favored any one or more of the owners assessed, or has neglected his duty, he may direct that the engineer

be deprived of all his fees in connection with the work, or of such part thereof as the judge may deem proper, but this shall not deprive any owner assessed of any remedy he may otherwise have against the engineer.

22. The judge shall be entitled to necessary travelling and living expenses for hearing the appeals, including the inspection of the land, which charge shall be part of the costs of the appeal.

Judge's
expenses
to be
reckoned
as costs
of appeal.

23. The order of the judge shall be final and conclusive and shall not be subject to appeal.

Judge's
order to
be final.

24. The clerk shall immediately after the hearing notify each owner of any change made in the amount of his assessment.

Clerk to
notify
owners
of any
change in
amount
of their
assessment.

25. The amount of the assessment of each owner shall be paid in not more than five equal annual instalments of principal and interest at such rate as may be fixed by law and the amount of each instalment shall be entered by the clerk on the collector's roll and collected in like manner as other municipal taxes.

Assessment
to be paid
in not
more than
five equal
annual in-
stalments
and to be
collected
like other
municipal
taxes.

26. The council of the township may agree with any bank or person or loan or trust company for a loan of money to cover that part of the cost assessed against the owners in such area and such loan shall be repaid in equal annual instalments of principal and interest during the same term as is fixed for the payment of the assessment against the owners under section 25.

Council
may
borrow
money
from
bank or
loan or
trust com-
pany and
repay in
annual
instalments.

No. 206.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to provide for the Construction of
Township Roads by Special Assessment.

1st Reading,	6th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. Biggs.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Temperance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Temperance Amendment Act, 1921.* Short title.

2. Section 46 of *The Ontario Temperance Act* is repealed 1916, c. 50, s. 46, repealed. and the following substituted therefor:—

46. Nothing herein contained shall prevent any person Bonded liquor warehouses. from having liquor for export sale in a bonded liquor warehouse or from selling such liquors from such bonded liquor warehouse to persons in other provinces or in foreign countries.

3. Sections 92, 93, 94 and 95 of *The Ontario Temperance Act*, as amended, are repealed 1916, c. 50, ss. 92-95, repealed. and the following substituted therefor:—

92.—(1) Any person convicted under this Act may, Appeal to judge of county or district court. subject to the provisions hereinafter mentioned, appeal from the conviction to the judge of the county or district court of the county or district in which the conviction or order is made, sitting in chambers without a jury, if a notice of such appeal is given to the prosecutor or complainant and to the convicting magistrate within ten days of such conviction.

(2) There shall be delivered to the convicting magistrate, with such notice of appeal, an affidavit Affidavit to be delivered with notice of appeal. of the person convicted complying with the requirements set out in section 94 hereof.

(3) The term "judge," as used in this section shall, "Judge" means senior judge. in case there is a junior or deputy judge of such

court, mean the senior judge, and in the event of the absence or illness of the senior judge or of there being a vacancy in that office, shall in such case mean the senior judge of any of the adjoining counties.

Where fine
has been
paid.

- (4) In case the appellant has paid the fine and costs imposed upon him by the convicting magistrate he may, subject to the conditions set out in subsections 1 and 2 hereof and the deposit of \$100 with the magistrate to answer the respondent's costs, appeal against such conviction to the judge having jurisdiction in the matter who shall hear and determine such appeal as provided in subsections 11 and 12 hereof.

Recogniz-
ance.

- (5) Subject to the next following subsection, the person convicted, if he is in custody, shall either remain in custody until the hearing of such appeal before the judge, or he may, notwithstanding any order of imprisonment, either in the first instance or in default in the payment of a fine, enter into a recognizance with two sufficient sureties in such sum or sums as the magistrate with the approval of the crown attorney may fix, conditioned personally to appear before the judge and to try such appeal and abide by his judgment thereupon, and also to pay any penalty in money and costs which the judge may order.

Money
deposit in
lieu of
recog-
nizance.

- (6) Where the appellant desires to deposit a sum of money instead of providing sureties he may do so on entering into a recognizance on his own behalf and depositing an amount approved by the convicting magistrate and the crown attorney, not being less than a surety would be required to become responsible for and any money so deposited shall be available for the payment of any fine and costs which the judge may think fit to impose.

When
security
may be
withdrawn
or can-
celled.

- (7) In any case in which security is provided, whether in money or otherwise, the same shall not be withdrawn until the time has elapsed for entering an appeal, and in case of a further appeal the security shall remain until the final disposition of the case.

- (8) Upon the recognizance being entered into or deposit made, the magistrate shall liberate such person if in custody and shall immediately thereafter deliver or transmit to the judge appealed to, by registered post, the depositions and all other papers in the case including the notice of appeal and the affidavit of the appellant, with a certificate signed by the magistrate in the form hereinafter mentioned, and such certificate shall be deemed to be part of the record.

Liberation
of appellant
on com-
pleting
security.

Transmis-
sion of
papers to
judge.

- (9) The said certificate shall be in the following form: Certificate of magis-
trate with
return.

Certificate of Magistrate.

A notice having been served upon me, the under-
signed, of the intention of the defendant
to appeal against my decision in the case
set out in the information mentioned below,
I herewith in pursuance of the Statute, re-
turn the following papers therein:

1. Notice of appeal and affidavit (if any).
2. Information.
3. Summons or warrant issued thereon.
4. The evidence.
5. The conviction or order (as the case may be.)
6. Other papers (if any), naming them.

And I hereby certify to the judge of the county
(or district) court of the county (or dis-
trict) of that I have above
truly set forth all the papers and docu-
ments in my custody or power relating to
the matter set forth in the said notice of
appeal.

Dated this day of , 1921.

Police Magistrate.

(or) Justice of the Peace.

In and for the (as the case may be).

Fee of
clerk of
court.

- (10) The appellant shall pay to the clerk of the county or district court for his attendance and services in connection with such appeal the sum of \$2 and the same shall be taxed as costs in the cause.

Summons
to be
issued by
judge.

- (11) Within fifteen days from the service of the notice of appeal the judge shall grant a summons calling upon all parties to attend before him at his chambers on the day and hour named therein when the hearing of the appeal will be proceeded with.

Appeal
to be on
evidence
before
magistrate.

- (12) The appeal shall be heard and determined upon the evidence and proceedings had and taken before the magistrate to be called the record, and the judge may, upon such hearing, make such order as he may think fit affirming, reversing or amending the order appealed from, and may impose such fine and costs or other penalty as is provided by this Act, and the order so made shall have the same effect and be enforced in the same way as if made by the magistrate whose order is appealed from.

- (a) The term "order," as used in this subsection shall be deemed to include a conviction and also any order made under section 70 of this Act.

Application
of Rev.
Stat., c. 90.

- (13) The practice and procedure upon such appeals and all proceedings thereon, shall, except as hereinbefore provided, be governed by *The Ontario Summary Convictions Act* so far as the same is not inconsistent with this Act.

Appeal
from
order of
dismissal.

93. Any informant or complainant dissatisfied with an order of dismissal made by a magistrate under this Act may, with the consent of the Attorney-General, procured within fifteen days of the date of the order of dismissal, appeal to the judge of the county or district court in the county or district in which the order complained of was made, and the proceedings shall be the same as nearly as may be as in the case of an appeal by a person convicted under this Act, and the judge shall have and may exercise the same powers as in the case of an appeal against a conviction, and may make such order as he may think fit and the deposit of security in such case shall be dispensed with.

94. No appeal shall lie from a conviction for any violation or contravention of any of the provisions of this Act unless the party appealing shall, with his notice of appeal, deliver to the magistrate who tried the case, an affidavit that he did not by himself or by his agent, servant or employee or any other person with his knowledge or consent commit the offence charged in the information, and such affidavit shall negative the charge in the terms used in the conviction, and shall further negative the commission of the offence by the agent, servant or employee of the accused or any other person with his knowledge or consent, which affidavit shall be transmitted with the conviction and other papers to the judge to whom the appeal is made. Affidavit of bona fides.
- 95.—(1) At any time within fifteen days from the date of the judgment or order of any judge of a county or district court arising out of, or under this Act, the Attorney-General may direct an appeal to a divisional court of the Appellate Division of the Supreme Court of Ontario upon any question touching the validity or invalidity of any Act of this Legislature or of any part thereof, or from the judgment or order of a judge of the county or district court in any other case arising out of or under this Act in which the Attorney-General of Ontario certifies that he is of opinion that the matters in dispute are of sufficient importance to justify an appeal. Appeal to Divisional Court.
- (2) Such appeal shall be had upon notice thereof to be given to the opposite party of the intention to appeal setting forth the grounds of such appeal. Notice of appeal.
- (3) The clerk of the county or district court shall certify the judgment, conviction, orders and all other proceedings to the proper officer of the Supreme Court at Toronto for use upon the appeal. Certifying proceedings to court.
- (4) The Divisional Court shall thereupon hear and determine the appeal and shall make such order for carrying into effect the judgment of the court as the court shall think fit. Hearing and determination of appeal.

No. 207.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Temper-
ance Act.

1st Reading, 6th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Professional Engineers.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Professional Engineers Act*. Short title.

2. In this Act, unless the context otherwise requires, the Interpretation. expression—

- (a) "The Association" means the Association of Professional Engineers of the Province of Ontario. "Association."
- (b) "Council" means the Executive Council of the Association. "Council."
- (c) "Member" means a Registered Member of the Association. "Member."
- (d) "President" means the President of the Association. "President."
- (e) "Vice-President" means the Vice-President of the Association. "Vice-President."
- (f) "Registrar" means the Registrar of the Association. "Registrar."
- (g) "Secretary" means the Secretary or the Secretary-Treasurer of the Association. "Secretary."
- (h) "Board" means the Board of Examiners of the Association. "Board."
- (i) "Registered" means that an engineer has been admitted to membership in the association and "Registered."

that his name has been enrolled in the register; and "Certificate of Registration" means the official certificate under the seal of the association evidencing the same.

"Licensed."

- (j) "Licensed" means that permission has been granted by the council to a non-resident professional engineer to practise temporarily without being registered, and "License" means the official certificate under the seal of the association evidencing such permission.

"Professional Engineering."

- (k) "Professional Engineering" means the advising on, the reporting on, the designing of, the supervising of the construction of, the appraisal of all public utilities, industrial works, railways, tramways, bridges, tunnels, highways, roads, canals, harbour works, harbours, light houses, river improvements, wet docks, dry docks, floating docks, dredges, cranes, drainage works, irrigation works, water works, water purification plants, sewerage works, sewage disposal works, incinerators, hydraulic works, power transmission, steel, concrete and reinforced concrete structures, electric lighting systems, electric power plants, electric machinery, electric apparatus, telephone systems, telegraph systems, cables, wireless plants, mineral property, mining machinery, mining development, mining operations, gas and oil development, smelters, refineries, metallurgical machinery, and equipment and apparatus for carrying out such operations, machinery, steam engines, hydraulic turbines, pumps, internal combustion engines and other mechanical structures, chemical and metallurgical machinery, apparatus and processes, aeroplanes, air ships, and all other engineering works; provided that the execution by a contractor or his assistants of work designed by a professional engineer, or the direction of work as otherwise defined in this clause by a superintendent of construction, or superintendent of maintenance, or their subordinates, when working from designs, or upon advice of a professional engineer, shall not be deemed to be the practice of professional engineering within the meaning of this Act.

Proviso.

3.—(1) All persons registered as professional engineers under the provisions of this Act shall constitute the " Association of Professional Engineers of the Province of Ontario " and shall be a body politic and corporate, with perpetual succession and a common seal. What shall constitute Association.

(2) The head office of the association shall be at the City of Toronto, Province of Ontario. Head office.

(3) The association shall have power to acquire and hold real or personal property not producing at any time an annual income in excess of \$10,000, and to alienate, mortgage, lease, or otherwise dispose of such property or any part thereof as occasion may require. Power to acquire and hold property.

(4) All fees and fines and penalties receivable and recoverable under this Act shall belong to the association. Fees, fines, etc.

4. The association may pass by-laws not inconsistent with the provisions of this Act for:— By-laws.

- (a) The election of " council " ;
- (b) The government and discipline of the members ;
- (c) The management of its property ;
- (d) The appointment of such officers as may be necessary for carrying out the purposes of the association ;
- (e) The maintenance of the association by levying and collecting the necessary fee from each member and licensee, which fee shall not exceed \$10 per annum ;
- (f) The admission of candidates to practise ;
- (g) The keeping of the " register " ;
- (h) Fixing dates and places of meetings of the " association " ;
- (i) All such other purposes as may be deemed necessary or convenient for the management of the association, or the conduct of its business.

5. No by-law of the association or amendment thereto shall be valid or take effect until approved by the Lieutenant-Governor in Council. By-law to require approval of Lieutenant-Governor.

Classifi-
cation.

6.—(1) For purposes of representation upon the council and for registration, and for such purposes only as are hereinafter set out, membership of the association shall be subdivided into the following branches: Civil engineers, mechanical engineers, chemical engineers, electrical engineers, mining engineers.

Member
may
register
in all
branches.

(2) Each member admitted to the association may register in all branches for which he can submit credentials satisfactory to the authority governing admission to each of such branches, but he shall, however, vote in only one such branch according to his own selection, but may transfer his vote to some other branch in which he is registered, upon the approval of the council.

Additional
branches.

7. Additional branches may be established by the Lieutenant-Governor in Council upon the petition of not less than 100 registered members of the association, provided such petition be approved by the council, or upon petition of 200 members of the association if such approval be not obtained.

Council.

8.—(1) The council shall consist of a president, a vice-president, an immediate past president, and three councillors from each branch of the association, all of whom shall be registered members of the association.

President.

(2) The president, who shall be elected annually by vote of members, shall hold office until his successor is elected, shall act as presiding officer at the meetings of the council and of the association, voting only when the votes are evenly divided, and on his retirement shall hold office as councillor for the next year succeeding.

Vice-
President.

(3) The vice-president shall be elected annually by vote of members, and shall have all the powers of the president during the absence of the latter.

Councillors.

(4) Two councillors shall be elected annually from each branch of the association by the vote of the registered members in such branch, and one councillor from each branch shall be appointed by the Lieutenant-Governor in Council.

Registrar
and
Secretary.

(5) The council shall appoint a registrar and a secretary who shall hold office during the pleasure of the council.

Members
of Council
to control
registra-
tion and
licensing.

9.—(1) The members of council representing each branch shall control, subject to the terms of this Act, the conditions for registration and for licensing in such branch, including credentials, examinations and exemptions.

(2) The council as a whole shall have the power to re- Powers of Council.
view the establishment of and the carrying out of the conditions for registration as administered by the representative councillors from all branches, and shall have the power to require the representatives of such branches to modify their administration in order to maintain a standard of qualification in members satisfactory to the council.

(3) The revocation of certificates and the reissuing of Revocation of certificates.
such certificates, the questions of discipline, fines, suspensions, expulsions, finance, overlapping of practice in branches, and all matters not coming within the provisions of subsection (1) shall be dealt with by the council as a whole.

Registration Within One Year.

10.—(1) Any person residing in the Province of Ontario at the date of the passing of this Act, who has been engaged in professional engineering for five or more years, shall be entitled to be duly registered as a member of the association without examination, provided that such person shall produce to the council, within one year of the passing of this Act, satisfactory credentials of having been so engaged. Qualifications for membership.

(2) Any person residing in the Province of Ontario, not qualified as in subsection (1) above, may make application for membership in the association and shall successfully pass such examination as shall be prescribed by council, or submit credentials satisfactory to the council, to be admitted to membership. Where person not so qualified.

(3) Any person who applies for membership in the association within one year from the passing of this Act shall submit to the council with his application a statement giving a summary of his professional career, which statement shall be made upon the forms prescribed by the council. Statement to be submitted with application.

(4) The council may require the applicant for membership to prove the correctness of the statements made in his application by attesting by oath or by affidavit. Affidavit.

(5) If the evidence of professional employment for five years, as submitted by the applicant, be considered satisfactory by the members of the council representing the branch to which admission is desired, he shall be admitted to membership in the association without examination and the registrar shall issue a certificate of registration to applicant and enter his name in the register. Admission to membership without examination.

Ontario
Land
Surveyor
entitled
to member-
ship.

(6) Any person duly authorized and registered as an Ontario land surveyor at the date of the passing of this Act shall be entitled on application within one year of the passing of this Act to be admitted as a member of the association in the branch of civil engineers.

Period of
employ-
ment.

11. If the applicant for membership has been engaged for less than five years as a professional engineer at the date of the passing of this Act, he shall submit certificates and proofs respecting the period of his employment to the date of his application, and the members of council, representing the branch to which admission is desired, will determine from the evidence so submitted the period of such employment.

Registration After One Year.

Notice of
employ-
ment to be
filed
annually.

12. Any person resident in the Province of Ontario who has applied for membership in the association within one year from the passing of this Act, who has not been admitted under the provisions of section 10, shall file with the secretary a notice setting forth his employment and the name of his employer, which notice shall be filed annually during the term necessary to complete the five years of employment, and if such person's record of employment is satisfactory, he shall be admitted to membership without examination.

Statement
to be sub-
mitted to
Council.

13.—(1) Any person who applies for membership in the association after one year from the passing of this Act shall submit to the council with his application a statement giving a summary of his professional career as an engineer or surveyor, which statement shall be made upon the forms prescribed by the council.

Affidavit.

(2) The council may require the applicant for membership to prove the correctness of the statement made with his application by attesting by oath or by affidavit.

Admission
to mem-
bership
without
examina-
tion.

(3) If the evidence of professional employment for not less than six years, as submitted by the applicant, be considered satisfactory by members of council representing the branch to which admission is desired, the applicant shall be admitted to membership after successfully passing the prescribed examination in the theory and practice of such branch of engineering or, in lieu of such examination, upon submission of credentials satisfactory to the members of council representing such branch and to the council as a whole.

(4) An applicant who is required to successfully pass an examination may select any one or more branches of engineering for his examination. Where examination required.

14. Any resident of Canada who may come to reside in the Province of Ontario, and who at the time is a duly registered member of an association of professional engineers in any province of the Dominion of Canada similarly constituted to this association, may upon application made to council be admitted to membership upon producing a certificate of membership in such province. Member of similar Association in another province.

15. Any person who comes to reside in Ontario who is a registered member of any association or institute in other parts of the British Empire or in the United States similarly constituted to this association, and which grants reciprocal privileges, and who applies for membership in this association, may be admitted to membership upon producing to council a certificate of membership in such association or institute. In British Empire or United States.

Graduates.

16.—(1) Any graduate in any branch of science, the practice of which constitutes professional engineering as defined in clause (k) of section 2, from any university recognized by the council upon presenting evidence of graduation satisfactory to the council will be granted, as part of his term of employment, the actual time of instruction in such university, this total not to exceed four years, and such graduate will not be required to submit to a written examination. Graduates of Universities.

(2) Graduates or undergraduates of recognized engineering colleges or *bona fide* assistants serving under articles may during the remainder of their respective periods required for registration be engaged in professional engineering as defined in this Act under the guidance of professional engineers who assume full responsibility for their work, but shall not be classed as professional engineers until registered as members of the association as provided in this Act. Graduates, undergraduates and assistants serving under articles.

(3) Such graduates, undergraduates, or assistants serving under articles may, during their respective engineering courses or terms of service, be recorded with the association, and such graduates, undergraduates, or assistants serving under articles shall be subject to the control of the council as provided in this Act and to the by-laws of the association, but shall not be members of the association. May be recorded, but shall not be members.

Licensing.

License to
practise.

17.—(1) Any person not residing in the Province of Ontario who is a registered member of an association of engineers similarly constituted of any other province of the Dominion of Canada may upon application obtain from the registrar a license to practise as a professional engineer in the Province of Ontario upon production of evidence of his registry in such other province.

Non-
resident
consulting
specialist.

(2) Any person who is not a resident of Canada, but who in the opinion of the members of council in any branch is recognized as a consulting specialist in such branch of engineering, and has not less than ten years of experience in the practice of his profession, or who presents credentials to satisfy such members of council that he has equal qualifications with those required for registration in such branch of the profession, may, with the approval of the members of council of such branch, be granted a license to practise in that branch.

Resident
of another
province.

(3) Any professional engineer who is a resident of some other province of Canada in which there is no association of engineers similarly constituted may obtain a license to practise in a branch of engineering, subject to the approval of the members of council representing such branch.

Power to
practise
without
license,
under
what cir-
cumstances.

(4) In the event of any such person mentioned in this section being unable by reason of emergency or neglect on the part of the registrar, or for any other good and sufficient reason, to obtain such license within three months of his making application therefor, he shall be entitled to practise as a professional engineer in the province for such period of three months without holding such license.

Examining
and report-
ing of
specific
mining
properties
by non-
residents.

(5) Any person who is not a resident of Canada but who is a member of an engineering association in the country of which he is a resident, which requires as a qualification for admission to its membership, conditions which if he were a resident of the Province of Ontario would entitle him to registration under this Act and who visits the Province of Ontario for the purpose of examining and reporting on specific mining properties shall not require to be registered or licensed under this Act.

Employer
of public
service
corpora-
tion, etc.

18. Any person who is employed as a professional engineer by a public service corporation, public utilities or Government department, who is by reason of his employment required to practise as a professional engineer in provinces

other than that of his residence, may so practise in the Province of Ontario without holding a non-resident license or payment of fee, providing such person can on demand of the council produce credentials satisfactory to the council showing that he is a registered member of an association of engineers similarly constituted by some other province of Canada.

Membership.

19.—(1) Only such persons who are members of the association hereby incorporated, and registered as such under the provisions of this Act, or who have received a license from the council of the association as hereafter provided, shall be entitled within the Province of Ontario to take and use the title "Registered Professional Engineer," or any abbreviation thereof, or to practise as a "Professional Engineer." Who may practise.

(2) Each member of the association shall have a seal, Seal. the impression of which shall contain the name of the engineer and the words "Registered Professional Engineer" and "Province of Ontario," with which seal he shall stamp all official documents and plans, and the design of such seal shall be approved by the council.

20. The provisions of this Act shall not apply against any person while carrying on his duties in His Majesty's naval, military or aerial service. Naval, military, and aerial services not affected.

21. In the case of engineers who were employed in professional engineering in the Province of Ontario, and who were accepted for overseas service in the war of 1914-1919, in the forces of Great Britain or any of her allies, shall on their return to Canada be entitled to all the rights and privileges conferred under section 10. Members of overseas forces.

22. Notwithstanding any other provision of this Act, no Age limit. person shall be registered as a member of the association until after he has attained the age of twenty-three years.

Partnership.

23.—(1) In the cases of two or more persons carrying on a practice as professional engineers in co-partnership, Co-partnership. only such members who are registered or licensed under this Act shall individually assume the function of a professional engineer.

Firm or corporation not to be deemed a member.

(2) A firm or corporation of professional engineers cannot, as such, be deemed to be a member of the association or be licensed to practise.

Examinations.

Board of Examiners.

24. The council shall appoint annually a board of examiners for each branch of engineering from nominations made by members of council representing each of such branches.

Examinations.

25.—(1) Examinations of candidates for registration or for license shall be held at least once per annum, at such place or places as the council may direct.

Council to prescribe.

(2) The scope of the examinations and the methods of procedure shall be prescribed for each branch by the members of council representing such branch, with special reference to the applicant's ability to design and supervise engineering works which shall insure the safety of life and property.

Board to examine degrees, diplomas, etc.

(3) The board shall examine all degrees, diplomas, certificates and other credentials presented or given in evidence for the purpose of obtaining registration or license to practise, if referred to them by the council, and may require the holder of such degree, diploma, certificate or other credential to attest on oath, *viva voce* or by affidavit concerning the matter of his application.

Candidate to submit to examination.

(4) The candidate shall submit to an examination before the board, or before such members of the board as may be deputed by the council to conduct such examination, on such branch or branches of professional engineering as the candidate may select.

Result of examination to be filed with Secretary.

(5) As soon as possible after the close of each examination the members of the board who shall have conducted such examination shall make and file with the secretary a certificate stating the result of such examinations, whereupon the council shall notify each candidate of the result of his examination and of their decision upon his application.

Failure.

(6) A candidate failing on examination may after an interval of not less than nine months be examined again.

Fees.

(7) The council shall from time to time prescribe the fees payable by candidates for examination, which fees shall be payable in advance by the candidates.

26. The council shall have power to establish conjointly ^{Central examining board.} with any council of any association similarly constituted in one or more of the provinces of Canada a central examining board, and to delegate to such central examining board all or any of the powers possessed by the said council respecting the examinations of candidates for admission to practise, provided that any examination conducted by such central examining board shall be held at least in one place within this province.

Register and Registrar.

27.—(1) The registrar shall issue a certificate of mem- ^{Certificate of membership.} bership to each member admitted to the association by the council, such certificate to be signed by the president or the vice-president and by the registrar, and it shall bear the seal of the association, and shall also state the branch or branches of engineering in which the member was examined or otherwise accepted.

(2) The registrar shall issue a license to practise to any ^{License to practise.} person entitled thereto, such license to specify the work upon which the holder of the license is to be employed and the period for which the same is issued, but in no case shall the period extend beyond the end of the calendar year in which said license was issued.

(3) The registrar shall enroll in the register provided ^{Names of licensees and members to be enrolled in Register.} by the council the names of all persons admitted to the association by the council, also the names of all persons licensed by council.

28. The registrar shall keep the register correct and in ^{Register to be correct.} accordance with the provisions of this Act and the instructions of the council.

29.—(1) Each member shall pay to the secretary, or ^{Member's annual fee.} such other person as may be deputed by council to receive it, on or before January 1st in each year, such annual fee for the ensuing year as may be determined by the by-laws of the association.

(2) Each person licensed by council shall pay in advance ^{Licensee's annual fee.} to the secretary, or such other person as may be deputed by council to receive it, such fee as the council may prescribe.

(3) The annual fee due from a member shall be deemed ^{Annual fee deemed a debt due.} to be a debt due the association, and may be recoverable with the costs of same from such member in the name of the

council or of the association in any court of competent jurisdiction.

Neglect to
pay annual
fee.

30.—(1) If any member neglects or refuses to pay the annual fee for six months from the date upon which it became due after the notice from the secretary, the registrar shall cause the name of such member to be erased from the register; and such person shall thereupon cease to be a member, but such person shall at any time thereafter, upon payment of all fees in arrears, be entitled to reinstatement as member.

Resigna-
tion.

(2) Any member may resign from membership in the association upon giving written notice to the secretary and by payment of all dues in arrears, if any, whereupon the name of said member shall be erased from the register and such member will be relieved of the liability for further annual dues, but such person shall at any time in the future be admitted as member upon payment of the fees prescribed by council.

Where
name
erased from
register.

(3) Any member whose name has been erased from the register shall not be entitled to any of the rights and privileges conferred by the provisions of this Act until he has been readmitted as a member.

Refusal to
register.

31. In case the council should refuse to register any applicant for membership in the association, or refuse to issue a license to practise to any applicant therefor, the person aggrieved shall have the right to apply to a judge of the High Court of Ontario, who upon due cause shown may make an order directing the council to register the name of such person as a member of the association, or to grant a license to practise, or make such other order as may be warranted by the facts, and the council shall forthwith comply with such order. Such order when so made shall be final.

Evidence of
registra-
tion.

32. The certificate of registration under the seal of the association shall be *prima facie* evidence of registration or license or of non-registration, as the case may be, unless the name of the member or licensee has been erased from the register.

Suspension or Expulsion.

Suspension
or expul-
sion for un-
professional
conduct
or gross
negligence.

33.—(1) The council may, in its discretion, reprimand or censure or suspend or expel any member guilty of unprofessional conduct, or of gross negligence or of continued breach of the by-laws of the association, or any member con-

victed of a serious criminal offence by a court of competent jurisdiction.

(2) The council shall not take any such action until ^{Procedure.} after a complaint under oath has been filed with the secretary or the registrar, and a copy forwarded to the member accused, who shall be given an opportunity of submitting evidence in his defence, and the council shall not suspend nor expel a member without having previously summoned him to appear before the council, nor without having heard evidence under oath offered in support of the complaint and in behalf of the member accused.

(3) The council shall have the same powers as the ^{Powers of Council to hear cases.} Supreme Court of Ontario to compel witnesses to appear and give evidence under oath in the manner and under the penalties prescribed by such court, and all such evidence shall be taken in writing or by a duly qualified stenographer.

(4) Any member suspended or expelled may within sixty ^{Appeal.} days after the order of suspension or expulsion appeal to a judge of the Supreme Court of Ontario from such order or resolution, giving not less than seven days' notice of such appeal to the secretary of the association, and the practice and procedure in such an appeal shall be the same as upon an appeal from a master or referee.

(5) Pending an appeal, the member suspended or ex- ^{Pending appeal.} pelled by council may continue to practise, but if the order of suspension or of expulsion be set aside, the member so suspended or expelled shall not practise thereafter except upon the expiry of the period of suspension (in case of suspension).

Penalties.

34. Any person in the Province of Ontario who, not ^{Where un-} being registered as a member of the association in the Prov- ^{registered} ince of Ontario, or licensed by the association— ^{or un-} ^{licensed} ^{person} ^{practises.}

(a) Practises as a professional engineer;

(b) Usurps the function of a professional engineer;

(c) Uses verbally or otherwise the title of professional engineer, or makes use of any addition to or abbreviation of such title, or of any words, name or designation that will lead to the belief that he is a professional engineer or a member

of the association, or that he is a person specially qualified to practise in any branch of professional engineering;

(d) Advertises himself as a professional engineer in any way or by any means;

Penalty.

(e) Acts in such manner as to lead to the belief that he is authorized to fill the office of or to act as a professional engineer;

shall be liable upon summary conviction by any court of competent jurisdiction to a fine of not less than \$100 nor more than \$200 for the first offence, and to a fine of not less than \$200 nor more than \$500 for any subsequent offence.

Injunction may be obtained where convicted person continues to practise.

35. When a person after conviction for practising as a professional engineer continues to practise as a professional engineer without being a member of the association or being licensed by council, the association or any official thereof may apply to a judge of the Supreme Court of Ontario for an injunction restraining such person from practising or attempting to practise in the province, and the court shall, if satisfied that the person has practised or attempted to practise as a professional engineer, grant the injunction.

Wilful falsification of register.

36. If the registrar makes or causes to be made wilful falsification of the register, or in matters connected therewith, he shall upon conviction be liable to a fine of not less than \$100.

Fraudulent representation as to qualifications for membership.

37. Any person who wilfully procures or attempts to procure for himself registration as member in the association by making, producing or causing to be made or produced any fraudulent representation or declaration, either verbal or written, and any person knowingly aiding and assisting him therein, shall upon conviction be liable to a fine of not less than \$200.

Penalties, how recoverable.

38. Any and all penalties imposed under this Act and any and all moneys forfeited shall be recoverable with costs under the provisions of the law respecting summary conviction, and all such sums shall belong to the association.

Limit of time for commencement of proceedings.

39. No proceeding shall be commenced for any violation against the provisions of this Act after one year from the date of the committal of such violation.

Recovery of charges.

40. No person practising as a professional engineer shall be entitled to recover any charges in any court of law for any service included in the practice of professional engineer-

ing as defined in this Act unless he be registered as a member of the association or licensed by the association.

Provisional Council.

41.—(1) The following persons are hereby constituted Council as a provisional council of the association:—

President—C. V. Corless, of Conniston.

Vice-president—C. H. Mitchell, of Toronto.

Councillors—Representing branch of civil engineers—
Willis Chipman, of Toronto; J. B. Challies, of
Ottawa; A. W. Gray, of Brockville.

Representing branch of mechanical engineers—H. G.
Acres, of Toronto; H. H. Angus, of Toronto;
A. K. Spotton, of Galt.

Representing branch of chemical engineers—J. Watson
Bain, of Toronto; S. F. Kirkpatrick, of Ottawa;
Dr. Harold Van der Linde, of Toronto.

Representing branch of electrical engineers—L. W.
Gill, of Ottawa; H. O. Hart, of Hamilton; F.
R. Ewart, of Toronto.

Representing branch of mining engineers—C. R. Cam-
sell, of Ottawa; H. E. T. Haultain, of Toronto;
Jas. McEvoy, of Toronto.

all of whom shall hold office until their successors have been elected and appointed.

(2) If a vacancy should occur in the Provisional Council ^{vacancy.} it shall be filled by the Lieutenant-Governor in Council, who shall notify each member of the Provisional Council of such appointment.

42.—(1) The Provisional Council shall provide the reg- ^{Council to} ^{provide} ^{register.} ister called for by this Act, and shall cause to be entered therein the names of all persons who are entitled to registration and who apply therefor.

(2) The Provisional Council shall, within four months ^{Approval of} ^{Lieutenant-} ^{Governor} ^{to provi-} ^{sional by-} ^{laws.} from the passing of this Act, prepare provisional by-laws not inconsistent with the Act for the various purposes specified in section 4 of this Act, which shall not be valid until approved by the Lieutenant-Governor in Council.

Copy of register to be supplied to each member.

(3) The Provisional Council shall publish a copy of the register within five months from the passage of this Act, and shall mail one copy of such register to each member, and to any person who may apply for a copy, and the Lieutenant-Governor in Council shall also be furnished with a certified copy of the register and of the provisional by-laws.

General meeting.

(4) The Provisional Council shall call a general meeting of the members of the association for the purpose of nominating candidates, for confirmation or revision of by-laws, and for organization purposes, such general meeting to be held not later than seven months, nor earlier than five months, after the passage of this Act.

When to take effect.

43. No provisions of this Act restricting the practice of professional engineering or imposing penalties shall take effect until one year after the passing of this Act.

Application.

44. Nothing in this Act contained shall be construed as preventing the carrying on or construction of works by any person on his own property for the sole use of himself and his domestic establishment; nor to the prospecting or developing of any patented or unpatented mining claim by any person or syndicate; nor the designing, constructing or installing by any person of works, plants or appliances of a value not exceeding \$5,000, provided, however, that such works, plants and appliances shall not involve the safety or health of the general public, and nothing in this Act shall be construed to apply to the construction of township roads, or roads under the supervision of a county road superintendent.

Not to alter or affect certain Acts.

45. Nothing in this Act contained shall be construed as altering or affecting any provisions of *The Ontario Land Surveyors Act*, *The Municipal Drainage Act*, *The Ditches and Watercourses Act*, *The Ontario Mining Act*, or *The Stationary and Hoisting Engineers Act*, or *An Act for protecting the public interest in Rivers, Streams and Creeks*, or *The Timber Slides Companies Act*.

Not to affect Ontario Architects Act.

46. Nothing in this Act contained shall affect any of the provisions of *The Ontario Architects Act* or the rights, whether arising under or by virtue of the said Act or otherwise howsoever of architects registered under the said Act.

Scope of Act.

47. The activities of the association are hereby restricted to the functions necessary to the administration of this Act.

Commencement of Act.

48. This Act shall come into force and take effect upon receiving the Royal Assent.

No. 208.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Professional Engineers.

1st Reading,	6th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. GRAY.

TORONTO:
PRINTED BY CLARRISON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Parole Act, 1917.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Parole Amendment Act, 1921.* Short title.

2. Section 3 of *The Ontario Parole Act, 1917*, is amended by striking out the word “seven” in the fourth line thereof, and substituting therefor the word “nine.” 1917, c. 63, s. 3, amended. Board of Parole.

3. Subsection 1 of section 4 of *The Ontario Parole Act, 1917*, is repealed and the following substituted therefor:— 1917, c. 63, s. 4 (1), repealed.

4.—(1) The Lieutenant-Governor in Council shall appoint a chairman and secretary of the board. Chairman and secretary.

4. Section 5 of *The Ontario Parole Act, 1917*, is repealed and the following substituted therefor:— 1917, c. 63, s. 5, repealed.

5. The Lieutenant-Governor in Council may appoint an officer to be known as the Chief Parole Officer, who shall have such powers and perform such duties as may be prescribed by the regulations, and may appoint such assistants to the Chief Parole Officer as may be deemed necessary, and shall define the powers and duties of such assistants. Parole Commissioner. Powers and duties.

5. Section 6 of *The Ontario Parole Act, 1917*, is amended by striking out the words “Parole Commissioner.” in the first line and inserting in lieu thereof the words “Chief Parole Officer and his assistants.” 1917, c. 63, s. 6, amended. Salary of Chief Parole Officer.

1917, c. 63,
s 10 (1),
cl. a,
amended.

Regulations.

6. Clause *a* of subsection 1 of section 10 of *The Ontario Parole Act, 1917*, is amended by striking out the words "Parole Commissioner" in the second line thereof and inserting in lieu thereof the words "Chief Parole Officer and his assistants."

1917, c. 63,
s. 12,
amended.
Re-taking
prisoners
on breach
of condi-
tions of
parole.

Commence-
ment of
Act.

7. Section 12 of *The Ontario Parole Act, 1917*, is amended by striking out the words "Parole Commissioner" in the fifth line thereof and substituting therefor the words "Chief Parole Officer or his assistants."

8. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 209.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Parole
Act, 1917.

1st Reading, 6th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. NIXON.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Marriage Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Marriage Law Amendment Act, 1921.* Short title.

2.—(1) The Provincial Secretary shall from time to time, on application made to him according to forms prescribed by the Lieutenant-Governor in Council, or to the like effect, which application may be made by the applicant or, on his behalf, by the ecclesiastical authority or authorities of the church, religious denomination or congregation to which he belongs, register such person as authorized to solemnize marriage and may issue one or more certificates of such registration to any person so registered or otherwise and may include therein the name of any number of persons so registered. Authorization to solemnize marriage.

(2) The Provincial Secretary shall keep in his office a register or record of names of all persons registered as authorized to solemnize marriage, and the time when each such person was first so authorized, and, in case such registration has been cancelled, showing that fact and the date of such registration or revocation of authority to solemnize marriage. Record to be kept by Provincial Secretary.

(3) Whenever it is made to appear to the satisfaction of the Provincial Secretary that any person registered under the authority of subsection 1 of this section has ceased to possess the qualifications entitling him to be so registered, he may annul such registration and thereby revoke such authority. Revocation of authority.

(4) Whenever any person is registered under the authority of subsection 1 of this section to solemnize marriage and whenever any registration has, as to any person, been Notice thereof in "Ontario Gazette."

cancelled, and the authority thereby revoked, the Provincial Secretary shall give notice in *The Ontario Gazette* of such registration and revocation of such authority, stating therein the name of the person registered as authorized, or as to whom such registration has been cancelled; and publication in *The Ontario Gazette* of notice, purporting to be by the Provincial Secretary, that any person named therein has been registered as authorized to solemnize marriage shall in all courts be conclusive evidence of such registration, and of the authorization and qualification of such person to solemnize marriage, unless and until it shall appear by notice published in *The Ontario Gazette* as aforesaid that such registration has been cancelled and the authority thereby revoked.

Rev. Stat.,
c. 148,
s. 2,
amended.
Who may
solemnize
marriage
in Ontario.

3. Section 2 of *The Marriage Act* is amended by striking out the words "men and" in the first line thereof.

Rev. Stat.,
c. 148, s. 8,
repealed.

4. Section 8 of *The Marriage Act*, as amended by section 2 of *The Marriage Law Amendment Act, 1916*, is repealed and the following substituted therefor:—

Issue of
marriage
licenses
and cer-
tificates,
certain
municipal
clerks and
certain
police
magistrates
issuers
ex officio.

8.—(1) Marriage licenses and certificates in lieu of marriage licenses shall be issued from the office of the Provincial Secretary, and the clerk of every city, town and incorporated village and every police magistrate in territory without municipal organization shall be, *ex officio*, an issuer of marriage licenses and, subject to any regulations as hereinafter provided, shall furnish marriage licenses to persons requiring the same.

Appointment
of issuers
for un-
organized
territory,
etc.

(2) The Lieutenant-Governor in Council may, where it is deemed expedient for the public convenience, appoint any township clerk to act as issuer of marriage licenses and may appoint any person to act as issuer of marriage licenses in territory without municipal organization.

Regulations.

5. The Lieutenant-Governor in Council may make regulations defining the terms and conditions upon which marriage licenses and certificates shall be furnished and issued.

Rev. Stat.,
c. 148,
s. 11 (1),
repealed.

6. Subsection 1 of section 11 of *The Marriage Act* is repealed and the following substituted therefor:—

Appointment
of deputy
issuers of
marriage
licenses.

11.—(1) An issuer of marriage licenses or certificates may, with the approval in writing of the Regis-

trar-General or of the mayor or reeve of the municipality of which he is clerk, appoint, by writing under his hand, a deputy or deputies to act for him.

7. Section 18 of *The Marriage Act* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 148,
s. 18,
repealed.

18. If any person not registered with and certified by the Provincial Secretary, as hereinbefore provided, solemnizes or undertakes to solemnize any marriage, he shall incur a penalty of \$500, and shall also be liable to imprisonment for any term not exceeding twelve months.

Penalty
for solemn-
izing
marriage
without
authority.

8. Subsection 1 of section 19 of *The Marriage Act* is amended by adding as clause *g* the following:—

Rev. Stat.,
c. 148,
s. 19 (1),
amended.

(*g*) Such information as shall be prescribed by Order-in-Council.

9. Section 24 of *The Marriage Act* is repealed and the following substituted therefor:—

Rev. Stat.,
c. 148,
s. 24, (1),
repealed.

24.—(1) No fee shall be payable for a license or certificate except the sum of \$5, of which sum \$4 shall be remitted by the issuer or deputy issuer to the Provincial Treasurer and the sum of \$1 shall be allowed to the said issuer or deputy issuer, which he shall be entitled to retain for his own use, unless and until the council of the municipality shall commute the said allowance for a fixed sum, payable annually by the municipality to the issuer or deputy issuer and thereafter the aforesaid allowance on the issue of each license or certificate shall belong to the municipality.

Fee for
license or
certificate.

(2) In the event of the council of the municipality and the issuer or deputy issuer not agreeing upon the amount of the said commutation to be fixed, such amount shall be fixed by the county judge, and such amount of commutation, payable annually by the municipality to the issuer or deputy issuer, shall be fixed within a period of two years from the coming into force of this Act, and in no case shall such amount exceed the sum of \$2,000.

Disagree-
ment as
to com-
mutation.

Identifica-
tion of
applicants
for
licenses.

10. An issuer of marriage licenses shall have full power and authority to require the production of witnesses to identify the applicants for licenses, or either of them, and also to examine, under oath or otherwise, the applicants or other witnesses as to any material inquiry pertaining to the issuance of the license as he may deem necessary or advisable.

Commence-
ment of
Act.

11. This Act shall come into force and take effect on a day to be named by proclamation.

No. 210.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Marriage Act.

1st Reading,	6th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. NIXON.

BILL

An Act to amend The University Act.

WHEREAS the lands hereinafter described and other lands were vested in the University Residence Trustees for the purposes mentioned in the Act passed in the fifth year of the reign of His late Majesty King Edward the Seventh, chaptered 35 and intituled *An Act to Incorporate the University Residence Trustees*; and whereas under the authority conferred by clause 1 of section 32 of *The University Act* the University Residence Trustees have conveyed to the Governors of the University of Toronto the said lands upon the trusts and for the purposes upon and for which the same were held by the University Residence Trustees and subject as to part of the said lands to the terms of the lease thereof to Kappa Alpha Residence Limited; and whereas the lands hereinafter described are no longer needed for University residence purposes and a portion of them has been set apart for the use of Trinity College:

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The lands described as follows: *First*. All and singular those certain parcels of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario, and comprising lots 41, 42, 43, 44 and 45 and parts of lots 40 and 46, as shown upon a plan registered in the registry office for the registry division of East Toronto as plan 101-E and part of park lot 13 in concession 1 from the bay, and more particularly described as follows: Commencing at a point in the easterly limit of Devonshire Place where a wooden stake has been planted, said point being a distance of thirty-two feet (32') north from the south-west angle of the said lot forty-six (46); thence northerly along the easterly limit of Devonshire Place two hundred and ninety feet (290') to a point in the same said point being a distance of twenty-two feet (22')

Certain lands discharged from trusts to University Residence Trustees or Governors.

north from the south-west angle of said lot forty (40); thence easterly parallel to the northerly limit of Hoskin Avenue two hundred feet (200'); thence southerly parallel to the easterly limit of Devonshire Place two hundred and ninety feet (290') to a point where a wooden stake has been planted distant three hundred and ten feet (310') from the northerly limit of Hoskin Avenue; thence westerly parallel to the northerly limit of Hoskin Avenue two hundred feet (200') to the point of commencement; *Second*, All and singular those certain parcels of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario; and comprising lots 1, 2, 3, 7 and part of lot 8 as shown upon a plan registered in the registry office for the registry division of East Toronto as plan 101-E, and more particularly described as follows: Commencing at the intersection of the northerly limit of Hoskin Avenue with the westerly limit of Devonshire Place said point being the south-east angle of said lot three (3); thence northerly along the said westerly limit of Devonshire Place two hundred and forty feet (240') to a point in the same; thence westerly parallel to the northerly limit of Hoskin Avenue one hundred and fifty feet (150') to the westerly limit of said lot eight (8); thence southerly parallel to the westerly limit of Devonshire Place two hundred and forty feet (240') to the northerly limit of Hoskin Avenue aforesaid; thence easterly along the northerly limit of Hoskin Avenue one hundred and fifty feet (150') to the point of commencement, shall hereafter be free of and discharged from the trusts upon which the same were held by the University Residence Trustees or are now held by the Governors of the University of Toronto, and shall be and are hereby vested in the last-named body in the same manner as other lands vested in it for the purposes of *The University Act* are vested in it, but subject to the terms of the agreements bearing date the 15th day of November, 1910, and the 10th day of March, 1917, between the Governors of the University of Toronto and Trinity College.

By-laws of
City and
police
regulations
not applic-
able to
lands west
of Park.

2. It is hereby declared that section 12 of *The University Act* was not intended to make and does not make the police regulations or by-laws of the corporation of the City of Toronto or of its Council operative as to any lands vested in the Governors of the University of Toronto which lie to the west of the park or any lands which are or may hereafter be used for the purposes of the University or of University College or of any university or college now or hereafter federated with the University, but such regulations and by-laws shall not be applicable thereto.

3. The Governors of the University shall have and enjoy in respect of all property, real and personal, vested in them

Property
to be
deemed
Crown
property,
for what
purposes.

for the purposes of *The University Act* the like exemptions, immunities and privileges as appertain to property vested in the Crown for the use of the Province and such real and personal property shall be deemed to be for those purposes Crown property.

4.—(1) Clause *c* of section 32 of *The University Act* is amended by substituting for the word and figure “sub-section 2” in the third line thereof the words “clause *b*.”

Rev. Stat.,
c. 279,
s. 32 (c),
amended.
Super-
annuation
and re-
tirement.

(2) Clause *g* of section 32 of the said Act is amended by inserting in the seventh line after the word “University” the words “or hospital in which clinical facilities are provided for the medical faculty of the University” and by inserting in the eighth line after the word “college” the words “or hospital.”

Rev. Stat.,
c. 279,
s. 32 (g),
amended.
Expropria-
tion of
lands.

(3) Subclause *i* of clause *u* of section 32 of the said Act, as enacted by the Act passed in the sixth year of His Majesty's reign, chaptered 63, and intituled *An Act to amend The University Act* is repealed.

Rev. Stat.,
c. 279,
s. 32, cl. (u),
subcl. (i),
repealed.

5.—(1) Clause *b* of section 41 of *The University Act* is amended by adding after the words “the Faculty of Arts of Trinity College by three members” the words “the Faculty of Arts of St. Michael's College by three members to be chosen by the members of that Faculty.”

Rev. Stat.,
c. 279,
s. 41 (b),
amended.
Faculties,
representa-
tion of.

(2) Clause *c* of section 41 of the said Act is amended by inserting after the words “federated college” in the third line the words “except St. Michael's College.”

Rev. Stat.,
c. 279,
s. 41 (c),
amended.
Representa-
tion of
federated
colleges,
etc.

(3) Clause *d* of section 41 of the said Act is amended by inserting after the word “Agriculture” in the seventeenth line the words “two members elected by the graduates in Dentistry.”

Rev. Stat.,
c. 279,
s. 41 (d),
amended.
Graduates,
representa-
tion of.

(4) A professor *emeritus*, for the purpose only of being a member or being eligible to be chosen by a faculty to be a member of the Senate, shall be deemed to be a member of the faculty in which at the time of his retirement he was a professor.

Professor
emeritus.

6. The agreement between the Minister of Education and the Governors of the University of Toronto, a copy of which forms a schedule to this Act, is hereby ratified and confirmed.

Ratifica-
tion of
agreement.

7. Section 114 of *The University Act* is amended by adding the following as subsections 2 and 3:—

Rev. Stat.,
c. 279, s. 114,
amended.

Appoint-
ment of
members
by Senate,
under what
circum-
stances.

- (2) If the full number of members which any body is entitled to elect is not elected, instead of holding an election the Senate may appoint the number of members which such body has failed to elect.

Special
meeting.

- (3) The appointment shall be made at a special meeting called for the purpose.

Rev. Stat.,
c. 279,
amended.

8. *The University Act* is also amended by adding the following as section 114a:—

Quorum.

- 114a. Notwithstanding any vacancy in the membership of the Senate, however caused, as long as there are at least 20 members, it shall be competent for the Senate to exercise all or any of its powers.

Rev. Stat.,
c. 279,
s. 128 (1),
Limit of
amount of
annual
grant.

9. Subsection 1 of section 128 of *The University Act* is amended by adding at the end thereof the following words, “but such sum shall not exceed \$500,000 in any year.”

Erection
of arena.

- 10.—(1) The Governors of the University may erect upon the lands vested in them an arena for the purpose of winter games, primarily for the use of undergraduates and graduates of the University, and may borrow for that purpose a sum not exceeding \$150,000, and issue debentures therefor, the payment of which and of the interest thereon shall form a charge upon the property vested in the Governors.

Amount to
be sub-
scribed.

- (2) The powers conferred by the next preceding subsection shall not be exercised unless a sum of not less than \$300,000 has been subscribed for the purpose of assisting in the erection of the arena and its equipment.

Agreement
with sub-
scribers,
what it may
include.

- (3) The Governors may agree with the persons making such subscriptions that they shall have such privileges as to attending when games are going on in the arena as may be deemed proper, and may agree as to the repayment of such subscriptions out of the profits of the arena in such manner, and at such times as the Governors may see fit or may make such other or additional agreement with the subscribers as the Governors may deem proper and as shall be approved by the Lieutenant-Governor in Council.

Commence-
ment of Act.

11. This Act shall come into force on the day on which the Royal Assent shall be given to it.

SCHEDULE.

MEMORANDUM OF AGREEMENT.

In the matter of the training of teachers, the Minister of Education of Ontario and the Governors of the University of Toronto agree as follows:—

1. The Governors of the University of Toronto shall establish and maintain, subject to the provisions hereinafter mentioned, a college to be known as the Ontario College of Education.

2. The Ontario College of Education shall provide for: (1) Graduate courses of instruction in education; (2) Courses for certificates as high school assistants and specialists; and (3) Such other courses for certificates of the Department of Education as may be required by the Minister of Education and agreed to by the governors. It shall also co-operate, so far as may be deemed practicable by both parties to this agreement, both in instruction and in practice-teaching, with other provincial training schools in the training of teachers for provincial certificates.

3. The courses of study for students in training for certificates of the Department of Education and all proposed regulations affecting the training, conduct, and health of such students shall be approved by the Lieutenant-Governor in Council on the report of the Minister.

4. The names of all persons to be appointed to the college staff of instructors in courses for certificates of the Department shall be submitted to the Minister for approval and the appointments shall be subject to the approval of the Lieutenant-Governor in Council.

5. By arrangement between the Minister and the President of the University, the work done in the college, and in the observation and practice schools in connection therewith, shall be open at any time to the visitation and inspection of the Provincial Director of Professional Training Schools, or such other person or persons as may be designated by the Minister of Education.

6. The governors shall submit to the Minister of Education, before the 31st of December of each year, detailed estimates of the proposed expenditure upon the college upon capital account and for maintenance for the following academic year, and, if approved by the Minister of Education, these shall be submitted to the Legislative Assembly as a part of the estimates of the Department of Education.

7. All tuition, examinations, graduation, or other fees imposed upon students in training for certificates of the Department shall be subject to the approval of the Minister of Education.

8. The certificates of the Department of Education shall be awarded to students in training upon the report of the Dean of the College and the Provincial Director of Professional Training Schools, approved by the Minister, in whose name the certificates shall be issued.

9. This agreement shall remain in force from year to year subject to cancellation by notice in writing from either party to the other at least one year before the cancellation becomes effective.

10. All former provisions respecting the training of public school teachers and of high school teachers at the Faculty of Education and all courses for certificates of the Department of Education in connection with the Department of Household Science shall be cancelled, when the regulations made, as provided by paragraph 2, come into force.

Dated the 30th day of June, 1920.

THE MINISTER OF EDUCATION FOR ONTARIO.

THE GOVERNORS OF THE UNIVERSITY OF TORONTO.

Chairman.

Bursar.

No. 211.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The University Act.

1st Reading,	6th April,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. GRANT.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Drainage Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal Drainage Amendment Act, 1921.* Short title.

2. Subsection 3 of section 9 of *The Municipal Drainage Act*, as amended by section 3 of *The Municipal Drainage Amendment Act, 1920*, is further amended by adding after the word “scheme,” in the last line, the following words: Rev. Stat., c. 198, s. 9 (3), (as enacted by 1920, c. 67, s. 3), amended. “or that aid in whole or in part might be given the owners in certain circumstances, where, in the opinion of the engineer it is proper to do so, without placing upon the municipality the full burden of the maintenance and its responsibility,” so that when so amended the subsection will read:

(3) The engineer or surveyor shall in the same manner Farm Bridges. provide for the construction or enlargement of bridges and water gate rendered necessary by the drainage work upon the lands of any owner, and shall fix the value of the construction or enlargement thereof to be paid to the respective owners entitled thereto, but the land assessed for the drainage work shall not nor shall any municipal corporation be liable for keeping such bridges and water gate in repair. Should the engineer or any surveyor deem it proper that any such bridges should be constructed and maintained by the drainage scheme, or that aid in whole or in part might be given the owners in certain circumstances, where, in the opinion of the engineer it is proper to do so, without placing upon the municipality the full burden of the maintenance and its responsibility, he may so provide by his report.

No. 212.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Drainage
Act.

1st Reading,	7th April, 1921.
2nd Reading,	1921.
3rd Reading.	1921.

Mr. WEBSTER.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 27 of section 398 of *The Municipal Act* is Rev. Stat., c. 192, s. 398, amended by adding at the end thereof the following words, par. 27, amended.
 “and for levying a special rate therefor upon all rateable property over and above and in addition to or in excess of the general rate provided for in section 297 of this Act, and without obtaining the consent of the electors thereto,”
 so that when amended the paragraph will read:

27. For granting aid to any incorporated society or any Aiding erection, etc., of hospitals. association of individuals for the erection, establishment or equipment of public hospitals for the treatment of persons suffering from disease or from injuries and for levying a special rate therefor upon all rateable property over and above and in addition to or in excess of the general rate provided for in section 297 of this Act, and without obtaining the consent of the electors thereto.

No. 218.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading;	7th April, 1921.
2nd Reading,	1921.
3rd Reading.	1921.

Mr. IRELAND.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Notaries Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Notaries Amendment Act, 1921*. Short title.

2. *The Notaries Act* is amended by adding thereto the following section:— Rev. Stat.,
c. 160,
amended.

4a. A notary public shall have the same rights and powers as a solicitor to practise in the Surrogate Court and shall be entitled to the same fees and charges as a solicitor for any services connected therewith. Power to
practise in
Surrogate
Court.

No. 214.

2nd Session, 15th Legislature.
11 George V. 1921.

BILL.

An Act to amend The Notaries Act.

1st Reading.	8th April, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. McDONALD.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting The Goodyear Tire and Rubber Company of Canada, Limited.

WHEREAS The Goodyear Tire and Rubber Company Preamble.
of Canada, Limited, has by petition represented that it is a company duly incorporated under *The Ontario Companies Act* by Letters Patent dated the second day of December, one thousand nine hundred and nineteen, with an authorized capital stock of \$30,000,000, divided in to 300,000 shares of \$100 each, of which \$15,000,000 (150,000 shares) is seven per cent. cumulative preferred stock; and whereas there is now issued and outstanding \$4,500,000 of the cumulative preferred stock and \$5,332,000 of the common stock; and whereas the company has present debts and obligations as set out in the preliminary part of the scheme of arrangement schedule to this Act; and whereas a scheme of arrangement has been prepared by and between the said company, its creditors and its stockholders providing for funding certain indebtedness into prior preference stock, and extending the time for payment of other indebtedness and for carrying out its obligations; and whereas the said scheme of arrangement provides that it is not to become effective until it has been approved by at least 60 per cent. in amount of the holders of common stock of the company, by at least 60 per cent. in amount of the holders of preferred stock of the company, by 75 per cent. of the holders of the company's notes, its rubber commitment creditors, its fabric commitment creditors, and by The Goodyear Tire and Rubber Company of Akron, Ohio; and whereas the company by its petition prayed that an Act should be passed ratifying and confirming the said scheme; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Scheme of
arrange-
ment con-
firmed.

1. The scheme of arrangement set out in the schedule to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon The Goodyear Tire and Rubber Company of Canada, Limited, and the shareholders thereof, and all other persons directly or indirectly affected thereby in all respects whatsoever as if the said scheme of arrangement and each and every clause thereof were set out at length and enacted in this Act; and the said company is hereby authorized and empowered to do and perform all acts, matters and things necessary to give full effect to the said scheme of arrangement.

Provisions
of
Rev. Stat.,
c. 178, to
apply where
not in-
consistent.

2. Except where inconsistent with the provisions of this Act, the provisions of *The Ontario Companies Act* shall apply to the company.

Commence-
ment of Act.

3. This Act shall come into force and take effect when so declared by proclamation of the Lieutenant-Governor in Council.

SCHEDULE.

THE GOODYEAR TIRE AND RUBBER COMPANY OF
CANADA, LIMITED.

SCHEME OF ARRANGEMENT—PRELIMINARY.

The capital of The Goodyear Tire and Rubber Company of Canada, Limited, is as follows:—

1. Seven per cent. cumulative preference stock, authorized \$15,000,000, divided into 150,000 shares of \$100 each; issued and held by the public, \$4,500,000.

By the conditions governing the preferred stock the company is required at all times to maintain the net quick assets to an amount which shall not be less than 115 per cent., and net tangible assets (including the total net quick assets) which shall not be less than 200 per cent. of the total par value of the preferred stock from time to time outstanding, and no additional shares of preferred stock in excess of the aggregate par value of \$5,000,000 shall be issued unless the total net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the preferred stock then outstanding, and of the further amount so proposed to be issued. The stock is subject to redemption on any interest date at 110 per cent. and commencing with January 1, 1923, and during each following year the company is required to redeem and cancel at least two and one-half per cent. of the largest amount of preferred stock theretofore at any time outstanding. The holders of preferred stock are not entitled to a vote unless default is made under the terms and conditions applicable to the preferred stock. Preferred stock is preferred both as to dividends and as to capital. No mortgage or lien on the real estate, machinery or fixed assets of the company can be given, nor can any bond, debenture or other evidence of indebtedness secured thereon be made without the approval of at least 75 per cent. of the preferred stockholders of the company then outstanding. No dividend shall be paid on the common stock unless all accumulated arrears of dividend, if any, on the preferred stock then outstanding for any previous year or quarter thereof are provided for, all preferred stock required to be redeemed has been so redeemed, and the company has a surplus of undivided profits over and above the dividend so proposed to be paid sufficient to provide for the dividend on preferred shares then outstanding for a full period of two years and from and after January 1, 1923, sufficient to provide also for the redemption of the preferred stock as hereinbefore provided, and after providing for the said surplus of undivided profits the net quick assets of the company are equivalent to at least 115 per cent. and the net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the stock then outstanding.

2. Common stock authorized \$15,000,000, divided into 150,000 shares of \$100 each; issued and held by the public, \$5,332,000.

Of the 53,320 issued shares, 40,518 shares are held by The Goodyear Tire and Rubber Company of Akron, Ohio.

3. Balance sheet (estimated) as of March 31, 1921:—

ASSETS.

Plant and Property—

Real estate, buildings, machinery, equipment, furniture and fixtures	\$6,829,969 97
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Inventory and Current Assets—Inventory—

Advance to shippers	\$125,000 00
Bowmanville factory	650,000 00
New Toronto factory	5,500,000 00
Branches	1,850,000 00

Total	\$8,125,000 00
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Accounts Receivable—

Customers	\$3,736,675 64
Miscellaneous	300,000 00

Total \$4,036,675 64

Cash—

In bank	\$54,779 12
On hand, home office and branches..	40,501 09
Advances to employees	8,500 00

Total \$103,780 21

Total inventory and current Assets..... \$12,265,455 85

Investments—

Bowmanville realty advances	\$11,000 00
Home Construction Company advances	1,074 31
Notes, rec. officers and employees.....	32,098 00
Other investments	13,714 19
Stock redemption account	434,000 00

Deferred Charges to Operation—

Interest paid in advance	\$42,000 00
Insurance unearned	30,000 00
Rent paid in advance	1,600 00
	73,600 00

\$19,660,912 32

LIABILITIES.

Capital Stock—

Preferred stock authorized.....	\$15,000,000 00
Preferred stock unissued	10,500,000 00
Preferred stock issued	\$4,500,000 00
Common stock authorized	15,000,000 00
Common stock unissued	9,668,000 00
Common stock issued	5,332,000 00

Current Liabilities—

Accounts payable	\$450,000 00
Akron	375,000 00
Acceptances against letter of credit.	420,345 55
	\$1,245,345 55

Notes Payable—

Banks	\$1,660,000 00
Miscellaneous	213,966 42
Goodyear, Akron	3,703,864 83

Total current liabilities \$6,823,176 80

Payment on Employees' Preferred Stock	33,766 26
Reserve for 1918-1919 War Tax.....	950,000 00

Reserves—

For depreciation, plant and machinery	\$678,533 79
For doubtful accounts	129,010 49
For redemption of premiums	346,411 20
For possible decline in market value	540,000 00
For sundries	88,127 03

Total reserves 1,782,082 51

Surplus 239,886 75

\$19,660,912 32

COMMITMENT LIABILITIES.

(Not included on either side of the above balance sheet).

Building extension	\$110,000 00
Letter of credit	480,000 00
Rubber on contract	684,000 00
Fabric on contract	4,880,000 00
	<hr/>
	\$6,154,000 00

No provision is made in the above statement of assets for depreciation of fabric, rubber or manufactured goods in hand or under contract. The value (cost price) of manufactured goods is \$4,500,000, of raw material on hand \$3,500,000, of fabric and rubber contracted for \$6,044,000.

To depreciate manufactured goods 15 per cent. and raw material 50 per cent. would entail a loss to be written off of \$5,450,000, and in the opinion of the management of the company this would be more than sufficient to meet the situation. By reducing the par value of the common stock from \$100 per share to \$10 per share, a contingent reserve fund of \$4,798,600 will be created which, with the reserve of \$540,000 (already set up as shown in statement of liabilities above) gives a total reserve of \$5,338,600.

RECAPITALIZATION.

1. Common stock—150,000 shares of \$10 each, \$1,500,000.

The changing of the par value of 53,320 shares now outstanding from \$100 each to \$10 each, will enable the company to establish a contingent reserve fund of \$4,798,600 to take care of any loss that may accrue from operation on the present cost of manufactured and raw materials.

2. Six per cent. cumulative prior preference stock, divided into 45,000 shares of \$100 each, \$4,500,000.

The holders of prior preference shares shall be entitled to and will receive quarterly as and when declared by the board of directors, cumulative dividends at the rate of six per cent. per annum out of the surplus profits of the company in each year from the first day of January, 1921, or from such later date as the respective shares may be issued in preference to and with priority over any payments of dividends upon the preferred stock, or common stock. In the event of the liquidation, dissolution or reorganization by way of amalgamation or otherwise of the company or of any distribution of its assets other than by way of dividends out of the surplus profits arising from the conduct of its business, and in the case of the liquidation or dissolution on account of insolvency the holders of prior preference stock shall be entitled to be paid the par value of their shares plus accrued and unpaid dividends thereon out of the assets of the company before any distribution is made to the holders of preferred stock or common stock.

Principal and dividends on prior preference shares shall be payable in United States currency so long as the holder thereof is, or in the opinion of the board of directors is, domiciled or *bona fide* resident therein, and the decision of the board of directors in their sole discretion as to *bona fide* beneficial ownership and as to the domicile or residence of such holder shall be final.

The company shall have the right at its option upon any dividend paying date on notice as hereinafter provided, to redeem all or any portion of the said prior preference stock at the par value thereof plus accrued and unpaid dividends thereon, and in case

less than all the shares are being redeemed, the respective shares to be redeemed shall be selected by lot in such manner as the board of directors in its sole discretion shall by resolution determine.

For sinking fund provision, voting rights and notice of redemption, see terms below under heading "General Terms Affecting Prior Preference Stock and Preferred Stock."

3. Seven per cent. cumulative preferred stock, divided into 150,000 shares of \$100 each, \$15,000,000.

The holders of preferred stock shall be entitled to and will receive quarterly as and when declared by the board of directors cumulative dividends at the rate of seven per cent. per annum out of the surplus profits of the company in each year from the first day of January, 1921, or from such later date as the respective shares have been or may be issued in preference to and with priority over any payments of dividends upon common stock. In the event of the liquidation, dissolution or reorganization by way of amalgamation or otherwise of the company or of the distribution of its assets other than by way of dividends out of the surplus profits, arising from the conduct of its business, and in the case of the liquidation or dissolution on account of insolvency, the holders of preferred stock shall, subject to the rights of holders of prior preference stock, be paid the par value of their shares plus accrued and unpaid dividends thereon out of the assets of the company before any distribution is made to the holders of common stock.

Dividends on preferred stock shall be paid at the option of the holder (said holder being the *bona fide* beneficial owner) in the currency of the country in which such holder is, or in the opinion of the board of directors is, domiciled or *bona fide* resident, provided the premium of exchange does not exceed five per cent., and the decision of the board of directors, in their sole discretion, as to *bona fide* beneficial ownership and as to the domicile or residence of such holders shall be final.

The company shall have the right at its option (after the whole of the prior preference stock shall be redeemed) to redeem in Canadian currency all or any portion of the said preferred stock at 110 per centum of the par value thereof plus accrued and unpaid dividends thereon and in case less than all the shares are being redeemed, the respective shares to be redeemed shall be selected by lot in such manner as the board of directors in its sole discretion shall by resolution determine.

For sinking fund provision, voting rights, and notice of redemption, see terms below under heading "General Terms Affecting Prior Preference Stock and Preferred Stock."

4. General Terms Affecting Prior Preference Stock and Preferred Stock.

During the six months following the end of each financial year of the company and until the whole of the prior preference stock shall have been redeemed, the company shall apply ten per cent. of its surplus earnings remaining after paying thereout fixed charges and dividends on its prior preferred stock and preferred stock then outstanding (including arrears thereof, if any), in the redemption of prior preferred stock at a price under the par value thereof plus accrued and unpaid dividends thereon if same can be purchased for such price by tender (which shall be called for by advertisement published once a week for two consecutive weeks in a daily paper in the cities of New York, N.Y., Toronto, Ontario, and Montreal, Quebec), and if it cannot be so purchased for such

a price by March 31 in any year then it shall be called in and redeemed on the first day of June next succeeding at par plus accrued and unpaid dividends thereon by lot as above provided; Provided that after application of the said ten per cent. there will remain a balance of said surplus earnings of at least \$500,000; and to the extent to which there shall be a balance of the said surplus earnings so remaining of upwards of \$500,000 then to the extent by which earnings exceed \$500,000 (but not exceeding the amount applied to the redemption of prior preferred stock so long as any of the same remains unredeemed and thereafter not exceeding 10 per cent. of the said surplus earnings) the company shall redeem and cancel preferred stock at a price under the par value thereof plus accrued and unpaid dividends thereon if the same can be purchased by tender as aforesaid for such a price, and if it cannot be so purchased then it shall be called in and redeemed at the price of the par value thereof plus accrued and unpaid dividends thereon.

In all cases of redemption of prior preference stock and preferred stock, notice shall be given by registered letter directed to the respective stockholders whose stock is chosen for redemption, to their respective addresses appearing on the books of the company, mailed postage prepaid at least thirty days prior to the date fixed for redemption; on or before the said date the holders of preferred stock so called for redemption shall deposit with the secretary of the company, at the head office thereof, for cancellation (and the substitution of new certificates for his redeemed holding, if any), the certificates for the said stock duly endorsed, in default of which the stock may be cancelled on the books of the company upon the company paying the amount due thereon on redemption into a chartered bank at Toronto to the credit of the said holders.

No dividend shall be paid on the common stock of the company unless—

(a) All accumulated arrears of dividend, if any, on the preferred stock of both classes then outstanding for any previous year or quarter thereof, are paid or provided for;

(b) All preferred stock of both classes required to be redeemed under the foregoing provisions has been so redeemed or sufficient money to redeem the same has been set apart;

(c) The company has a surplus of undivided profits over and above the dividend so proposed to be paid sufficient to provide for the dividends on preferred shares of both classes then outstanding for a full period of two years;

(d) After providing for the surplus, in sub-paragraph (c), the net quick assets of the company are equivalent to at least 115 per cent. and the net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the preferred stock of both classes then outstanding.

No mortgage or lien on the real estate, machinery or fixed assets of the company shall be given nor will any bond, debenture or other evidence of indebtedness secured thereon be made without the approval in writing of the holders of at least 60 per cent. in amount of both classes of preferred stock of the company then outstanding given separately or by resolutions passed with the like approval at meetings of the said classes respectively specially held to consider the same, nor shall any preferred stock over and above the \$15,000,000 par value now authorized having priority over or ranking on a parity therewith be issued without the like consent and approval on the part of the holders of the preferred stock.

Each share of stock of the company (prior preference stock, preferred stock and common stock) shall entitle the holder thereof to one vote. The board of directors of the company shall be seven in number, subject to increase or decrease to nine or five in accordance with the provisions of *The Ontario Companies Act*, and the common stockholders voting as a class shall be entitled to elect four of the new board, and five or three as the case may be in event of increase or decrease, and the prior preference stockholders and preferred stockholders voting together shall be entitled to elect the remainder of the board, namely: three or four or two as the case may be. In the event of a vacancy occurring in the board between annual meetings, the remaining director or directors of the class in which the vacancy occurs shall alone be entitled to fill such vacancy.

As soon as this plan shall become effective, the company shall call a general meeting of its shareholders for the purpose of electing a board of seven directors, and the present board shall retire at the said meeting.

5. Three year eight per cent. notes, \$1,219,920.46.

To be issued with the privilege to the company of an extension for one year upon payment of 25 per cent. at the end of the said year of an extension for another year upon payment of an additional 25 per cent. of the original face value; also with the option of prepayment in whole or in part on any interest day. The notes, together with interest, are to be payable in the currency of the United States of America. The form of the notes and the other terms and conditions thereof to be such as the directors may determine.

PROVISION FOR EXISTING DEBT AND STOCK.

1. The banks will retain their present position.
2. The company shall give to the holders (other than the Akron Company) of notes of the company, its three year notes (as hereinbefore defined) to the amount of the notes so held.
3. The company shall issue to The Goodyear Tire and Rubber Company of Akron, Ohio, in payment of the indebtedness of this company to the Akron company, prior preference stock at par.
4. Fabric commitment creditors will receive 25 per cent. of their contract price either in prior preference stock or preferred stock at their option at par, the remaining 75 per cent. being payable in cash, payments in both stock and cash being made from time to time against deliveries; the commitment creditors agree not to require the company to take deliveries more rapidly than it requires same for production, deliveries to be taken *pro rata*.
5. U.S. rubber commitment creditors will receive 20 per cent. in cash on deliveries of rubber in accordance with the terms of their contracts, and 90 day notes with interest at seven per cent. (notes and interest payable in the currency required by the terms of the contracts for rubber) with the privilege to the company of securing three 90-day renewals of the said notes upon payment of 25 per cent. of the balance owing at the time of each renewal.
6. Preferred stock now outstanding—The terms and conditions of preferred stock now outstanding will be changed to those hereinbefore set out. The holders of the present preferred stock shall, on the plan becoming effective, send in their present certificates for stock to the secretary of the company for exchange. No dividend accrued on preferred stock shall be paid to the holder thereof

in the books of the company until such time as such holder has sent in his certificate for exchange.

7. Common stock now outstanding—The par value of all the common stock of the company, including that now issued and outstanding, will be reduced from \$100 to \$10 a share. The holders of common stock shall, on the plan becoming effective, send in their certificates for stock to the secretary of the company for exchange. No dividend accrued on common stock shall be paid to the holder thereof in the books of the company until such time as such holder has sent in his certificate for exchange.

8. This scheme shall become effective—

(1) When the company has obtained from the Ontario Railway and Municipal Board a certificate that—

(a) 75 per cent. in amount of the holders of notes assigned and transferred by the Akron Company and held by merchandize creditors of the Akron Company, have assented thereto in writing;

(b) 75 per cent. in amount of the fabric commitment creditors have assented thereto in writing;

(c) 75 per cent. in amount of the rubber commitment creditors have assented thereto in writing;

(d) The Goodyear Tire and Rubber Company of Akron, Ohio, has assented thereto in writing;

(e) It has been approved in writing by the holders of at least 60 per cent. in amount of the preferred stock of the company outstanding or by resolution passed with the like approval at a meeting specially held to consider the same;

(f) It has been approved in writing by the holders of at least 60 per cent. in amount of the common stock of the company outstanding or by resolution passed with the like approval at a meeting specially held to consider the same; and

(2) When a special Act of the Legislature of the Province of Ontario confirming this scheme has become operative.

No. 215.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting The Goodyear Tire
and Rubber Company of Canada,
Limited.

1st Reading, 11th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. CURRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting The Goodyear Tire and Rubber Company of Canada, Limited.

WHEREAS The Goodyear Tire and Rubber Company Preamble.
of Canada, Limited, has by petition represented that it is a company duly incorporated under *The Ontario Companies Act* by Letters Patent dated the second day of December, one thousand nine hundred and nineteen, with an authorized capital stock of \$30,000,000, divided in to 300,000 shares of \$100 each, of which \$15,000,000 (150,000 shares) is seven per cent. cumulative preferred stock; and whereas there is now issued and outstanding \$4,500,000 of the cumulative preferred stock and \$5,332,000 of the common stock; and whereas the company has present debts and obligations as set out in the preliminary part of the scheme of arrangement schedule to this Act; and whereas a scheme of arrangement has been prepared by and between the said company, its creditors and its stockholders providing for funding certain indebtedness into prior preference stock, and extending the time for payment of other indebtedness and for carrying out its obligations; and whereas the said scheme of arrangement provides that it is not to become effective until it has been approved by at least 60 per cent. in amount of the holders of common stock of the company, by at least 60 per cent. in amount of the holders of preferred stock of the company, by 75 per cent. of the holders of the company's notes, its rubber commitment creditors, its fabric commitment creditors, and by The Goodyear Tire and Rubber Company of Akron, Ohio; and whereas the company by its petition prayed that an Act should be passed ratifying and confirming the said scheme; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Scheme of
arrange-
ment con-
firmed.

1. The scheme of arrangement set out in the schedule to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon The Goodyear Tire and Rubber Company of Canada, Limited, and the shareholders thereof, and all other persons directly or indirectly affected thereby in all respects whatsoever as if the said scheme of arrangement and each and every clause thereof were set out at length and enacted in this Act; and the said company is hereby authorized and empowered to do and perform all acts, matters and things necessary to give full effect to the said scheme of arrangement.

Provisions
of
Rev. Stat.,
c. 178, to
apply where
not in-
consistent.

2. Except where inconsistent with the provisions of this Act, the provisions of *The Ontario Companies Act* shall apply to the company.

Commence-
ment of Act.

3. This Act shall come into force and take effect when so declared by proclamation of the Lieutenant-Governor in Council.

SCHEDULE.

THE GOODYEAR TIRE AND RUBBER COMPANY OF
CANADA, LIMITED.

SCHEME OF ARRANGEMENT—PRELIMINARY.

The capital of The Goodyear Tire and Rubber Company of Canada, Limited, is as follows:—

1. Seven per cent. cumulative preference stock, authorized \$15,000,000, divided into 150,000 shares of \$100 each; issued and held by the public, \$4,500,000.

By the conditions governing the preferred stock the company is required at all times to maintain the net quick assets to an amount which shall not be less than 115 per cent., and net tangible assets (including the total net quick assets) which shall not be less than 200 per cent. of the total par value of the preferred stock from time to time outstanding, and no additional shares of preferred stock in excess of the aggregate par value of \$5,000,000 shall be issued unless the total net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the preferred stock then outstanding, and of the further amount so proposed to be issued. The stock is subject to redemption on any interest date at 110 per cent. and commencing with January 1, 1923, and during each following year the company is required to redeem and cancel at least two and one-half per cent. of the largest amount of preferred stock theretofore at any time outstanding. The holders of preferred stock are not entitled to a vote unless default is made under the terms and conditions applicable to the preferred stock. Preferred stock is preferred both as to dividends and as to capital. No mortgage or lien on the real estate, machinery or fixed assets of the company can be given, nor can any bond, debenture or other evidence of indebtedness secured thereon be made without the approval of at least 75 per cent. of the preferred stockholders of the company then outstanding. No dividend shall be paid on the common stock unless all accumulated arrears of dividend, if any, on the preferred stock then outstanding for any previous year or quarter thereof are provided for, all preferred stock required to be redeemed has been so redeemed, and the company has a surplus of undivided profits over and above the dividend so proposed to be paid sufficient to provide for the dividend on preferred shares then outstanding for a full period of two years and from and after January 1, 1923, sufficient to provide also for the redemption of the preferred stock as hereinbefore provided, and after providing for the said surplus of undivided profits the net quick assets of the company are equivalent to at least 115 per cent. and the net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the stock then outstanding.

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Of the 53,320 issued shares, 40,518 shares are held by The Goodyear Tire and Rubber Company of Akron, Ohio.

3. Balance sheet (estimated) as of March 31, 1921:—

ASSETS.

Plant and Property—

Real estate, buildings, machinery, equipment, furniture and fixtures	\$6,829,969 97
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Inventory and Current Assets—Inventory—

Advance to shippers	\$125,000 00
Bowmanville factory	650,000 00
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Total	\$8,125,000 00
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Interest paid in advance	\$42,000 00
Insurance unearned	30,000 00
Rent paid in advance	1,600 00
	73,600 00
	\$19,660,912 32

LIABILITIES.

Capital Stock—

Preferred stock authorized.....	\$15,000,000 00
Preferred stock unissued	10,500,000 00
Preferred stock issued	\$4,500,000 00
Common stock authorized	15,000,000 00
Common stock unissued	9,668,000 00
Common stock issued	5,332,000 00

Current Liabilities—

Accounts payable	\$450,000 00
Akron	375,000 00
Acceptances against letter of credit.	420,345 55
	\$1,245,345 55

Notes Payable—

Banks (secured)	\$1,660,000 00
Miscellaneous	213,966 42
Goodyear, Akron and (including notes transferred by it) and	3,703,864 83

Total current liabilities \$6,823,176 80

Payment on Employees' Preferred Stock	33,766 26
Reserve for 1918-1919 War Tax.....	950,000 00

Reserves—

For depreciation, plant and machinery	\$678,533 79
For doubtful accounts	129,010 49
For redemption of premiums	346,411 20
For possible decline in market value	540,000 00
For sundries	88,127 03

Total reserves 1,782,082 51

Surplus 239,886 75

\$19,660,912 32

COMMITMENT LIABILITIES.

(Not included on either side of the above balance sheet).

Building extension	\$110,000 00
Letter of credit	480,000 00
Rubber on contract	684,000 00
Fabric on contract	4,880,000 00
	<hr/>
	\$6,154,000 00

No provision is made in the above statement of assets for depreciation of fabric, rubber or manufactured goods in hand or under contract. The value (cost price) of manufactured goods is \$4,500,000, of raw material on hand \$3,500,000, of fabric and rubber contracted for \$6,044,000.

To depreciate manufactured goods 15 per cent. and raw material 50 per cent. would entail a loss to be written off of \$5,450,000, and in the opinion of the management of the company this would be more than sufficient to meet the situation. By reducing the par value of the common stock from \$100 per share to \$10 per share, a contingent reserve fund of \$4,798,600 will be created which, with the reserve of \$540,000 (already set up as shown in statement of liabilities above) gives a total reserve of \$5,338,600.

RECAPITALIZATION.

1. Common stock—150,000 shares of \$10 each, \$1,500,000.

The changing of the par value of 53,320 shares now outstanding from \$100 each to \$10 each, will enable the company to establish a contingent reserve fund of \$4,798,600 to take care of any loss that may accrue from operation on the present cost of manufactured and raw materials.

2. Six per cent. cumulative prior preference stock, divided into 45,000 shares of \$100 each, \$4,500,000.

The holders of prior preference shares shall be entitled to and will receive quarterly as and when declared by the board of directors, cumulative dividends at the rate of six per cent. per annum out of the surplus profits of the company in each year from the first day of January, 1921, or from such later date as the respective shares may be issued in preference to and with priority over any payments of dividends upon the preferred stock, or common stock. In the event of the liquidation, dissolution or reorganization by way of amalgamation or otherwise of the company or of any distribution of its assets other than by way of dividends out of the surplus profits arising from the conduct of its business, and in the case of the liquidation or dissolution on account of insolvency the holders of prior preference stock shall be entitled to be paid the par value of their shares plus accrued and unpaid dividends thereon out of the assets of the company before any distribution is made to the holders of preferred stock or common stock.

Principal and dividends on prior preference shares shall be payable in United States currency so long as the holder thereof is, or in the opinion of the board of directors is, domiciled or *bona fide* resident therein, and the decision of the board of directors in their sole discretion as to *bona fide* beneficial ownership and as to the domicile or residence of such holder shall be final.

The company shall have the right at its option upon any dividend paying date on notice as hereinafter provided, to redeem all or any portion of the said prior preference stock at the par value thereof plus accrued and unpaid dividends thereon, and in case

less than all the shares are being redeemed, the respective shares to be redeemed shall be selected by lot in such manner as the board of directors in its sole discretion shall by resolution determine.

For sinking fund provision, voting rights and notice of redemption, see terms below under heading "General Terms Affecting Prior Preference Stock and Preferred Stock."

3. Seven per cent. cumulative preferred stock, divided into 150,000 shares of \$100 each, \$15,000,000.

The holders of preferred stock shall be entitled to and will receive quarterly as and when declared by the board of directors cumulative dividends at the rate of seven per cent. per annum out of the surplus profits of the company in each year from the first day of January, 1921, or from such later date as the respective shares have been or may be issued in preference to and with priority over any payments of dividends upon common stock. In the event of the liquidation, dissolution or reorganization by way of amalgamation or otherwise of the company or of the distribution of its assets other than by way of dividends out of the surplus profits, arising from the conduct of its business, and in the case of the liquidation or dissolution on account of insolvency, the holders of preferred stock shall, subject to the rights of holders of prior preference stock, be paid the par value of their shares plus accrued and unpaid dividends thereon out of the assets of the company before any distribution is made to the holders of common stock.

Dividends on preferred stock shall be paid at the option of the holder (said holder being the *bona fide* beneficial owner) in the currency of the country in which such holder is, or in the opinion of the board of directors is, domiciled or *bona fide* resident, provided the premium of exchange does not exceed five per cent., and the decision of the board of directors, in their sole discretion, as to *bona fide* beneficial ownership and as to the domicile or residence of such holders shall be final.

The company shall have the right at its option (after the whole of the prior preference stock shall be redeemed) to redeem in Canadian currency all or any portion of the said preferred stock at 110 per centum of the par value thereof plus accrued and unpaid dividends thereon and in case less than all the shares are being redeemed, the respective shares to be redeemed shall be selected by lot in such manner as the board of directors in its sole discretion shall by resolution determine.

For sinking fund provision, voting rights, and notice of redemption, see terms below under heading "General Terms Affecting Prior Preference Stock and Preferred Stock."

4. General Terms Affecting Prior Preference Stock and Preferred Stock.

During the six months following the end of each financial year of the company and until the whole of the prior preference stock shall have been redeemed, the company shall apply ten per cent. of its surplus earnings remaining after paying thereout fixed charges and dividends on its prior preferred stock and preferred stock then outstanding (including arrears thereof, if any), in the redemption of prior *preference* stock at a price under the par value thereof plus accrued and unpaid dividends thereon if same can be purchased for such price by tender (which shall be called for by advertisement published once a week for two consecutive weeks in a daily paper in the cities of New York, N.Y., Toronto, Ontario, and Montreal, Quebec), and if it cannot be so purchased for such

a price by March 31 in any year then it shall be called in and redeemed on the first day of June next succeeding at par plus accrued and unpaid dividends thereon by lot as above provided; Provided that after application of the said ten per cent. there will remain a balance of said surplus earnings of at least \$500,000; and to the extent to which there shall be a balance of the said surplus earnings so remaining of upwards of \$500,000 then to the extent by which earnings exceed \$500,000 (but not exceeding the amount applied to the redemption of prior preferred stock so long as any of the same remains unredeemed and thereafter not exceeding 10 per cent. of the said surplus earnings) the company shall redeem and cancel preferred stock at a price under the par value thereof plus accrued and unpaid dividends thereon if the same can be purchased by tender as aforesaid for such a price, and if it cannot be so purchased then it shall be called in and redeemed at the price of the par value thereof plus accrued and unpaid dividends thereon.

In all cases of redemption of prior preference stock and preferred stock, notice shall be given by registered letter directed to the respective stockholders whose stock is chosen for redemption, to their respective addresses appearing on the books of the company, mailed postage prepaid at least thirty days prior to the date fixed for redemption; on or before the said date the holders of preferred stock so called for redemption shall deposit with the secretary of the company, at the head office thereof, for cancellation (and the substitution of new certificates for his redeemed holding, if any), the certificates for the said stock duly endorsed, in default of which the stock may be cancelled on the books of the company upon the company paying the amount due thereon on redemption into a chartered bank at Toronto to the credit of the said holders.

No dividend shall be paid on the common stock of the company unless—

(a) All accumulated arrears of dividend, if any, on the preferred stock of both classes then outstanding for any previous year or quarter thereof, are paid or provided for;

(b) All preferred stock of both classes required to be redeemed under the foregoing provisions has been so redeemed or sufficient money to redeem the same has been set apart;

(c) The company has a surplus of undivided profits over and above the dividend so proposed to be paid sufficient to provide for the dividends on preferred shares of both classes then outstanding for a full period of two years;

(d) After providing for the surplus, in sub-paragraph (c), the net quick assets of the company are equivalent to at least 115 per cent. and the net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the preferred stock of both classes then outstanding.

No mortgage or lien on the real estate, machinery or fixed assets of the company shall be given nor will any bond, debenture or other evidence of indebtedness secured thereon be made without the approval in writing of the holders of at least 60 per cent. in amount of both classes of preferred stock of the company then outstanding given separately or by resolutions passed with the like approval at meetings of the said classes respectively specially held to consider the same, nor shall any preferred stock over and above the \$15,000,000 par value now authorized having priority over or ranking on a parity therewith be issued without the like consent and approval on the part of the holders of the preferred stock.

Each share of stock of the company (prior preference stock, preferred stock and common stock) shall entitle the holder thereof to one vote. The board of directors of the company shall be seven in number, subject to increase or decrease to nine or five in accordance with the provisions of *The Ontario Companies Act*, and the common stockholders voting as a class shall be entitled to elect four of the new board, and five or three as the case may be in event of increase or decrease, and the prior preference stockholders and preferred stockholders voting together shall be entitled to elect the remainder of the board, namely: three or four or two as the case may be. In the event of a vacancy occurring in the board between annual meetings, the remaining director or directors of the class in which the vacancy occurs shall alone be entitled to fill such vacancy.

As soon as this plan shall become effective, the company shall call a general meeting of its shareholders for the purpose of electing a board of seven directors, and the present board shall retire at the said meeting.

5. Three year eight per cent. notes, \$1,219,920.46.

To be issued with the privilege to the company of an extension for one year upon payment of 25 per cent. at the end of the said year of an extension for another year upon payment of an additional 25 per cent. of the original face value; also with the option of prepayment in whole or in part on any interest day. The notes, together with interest, are to be payable in the currency of the United States of America. The form of the notes and the other terms and conditions thereof to be such as the directors may determine.

PROVISION FOR EXISTING DEBT AND STOCK.

1. The banks will retain their present position.

2. The company shall give to the holders of notes of the company, ~~and~~ transferred by the Akron Company, ~~on~~ its three year notes (as hereinbefore defined) to the amount of the notes so held.

3. The company shall issue to The Goodyear Tire and Rubber Company of Akron, Ohio, in payment of the indebtedness of this company to the Akron company, prior preference stock at par.

4. Fabric commitment creditors will receive 25 per cent. of their contract price either in prior preference stock or preferred stock at their option at par, the remaining 75 per cent. being payable in cash, payments in both stock and cash being made from time to time against deliveries; the commitment creditors agree not to require the company to take deliveries more rapidly than it requires same for production, deliveries to be taken *pro rata*, ~~and~~ so far as practicable, and the Company not to take from other parties deliveries of fabric of any kind such as covered by any existing commitment contract while such contract continues and/or until deliveries thereunder have been completed. ~~and~~

5. U.S. rubber commitment creditors will receive 20 per cent. in cash on deliveries of rubber in accordance with the terms of their contracts, and 90 day notes with interest at seven per cent. (notes and interest payable in the currency required by the terms of the contracts for rubber) with the privilege to the company of securing three 90-day renewals of the said notes upon payment of 25 per cent. of the balance owing at the time of each renewal.

6. Preferred stock now outstanding—The terms and conditions of preferred stock now outstanding will be changed to those hereinbefore set out. The holders of the present preferred stock shall,

on the plan becoming effective, send in their present certificates for stock to the secretary of the company for exchange. No dividend accrued on preferred stock shall be paid to the holder thereof in the books of the company until such time as such holder has sent in his certificate for exchange.

7. Common stock now outstanding—The par value of all the common stock of the company, including that now issued and outstanding, will be reduced from \$100 to \$10 a share. The holders of common stock shall, on the plan becoming effective, send in their certificates for stock to the secretary of the company for exchange. No dividend accrued on common stock shall be paid to the holder thereof in the books of the company until such time as such holder has sent in his certificate for exchange.

8. This scheme shall become effective—

(1) When the company has obtained from the Ontario Railway and Municipal Board a certificate that—

(a) 75 per cent. in amount of the holders of notes assigned and transferred by the Akron Company have assented thereto in writing;

(b) 75 per cent. in amount of the fabric commitment creditors have assented thereto in writing;

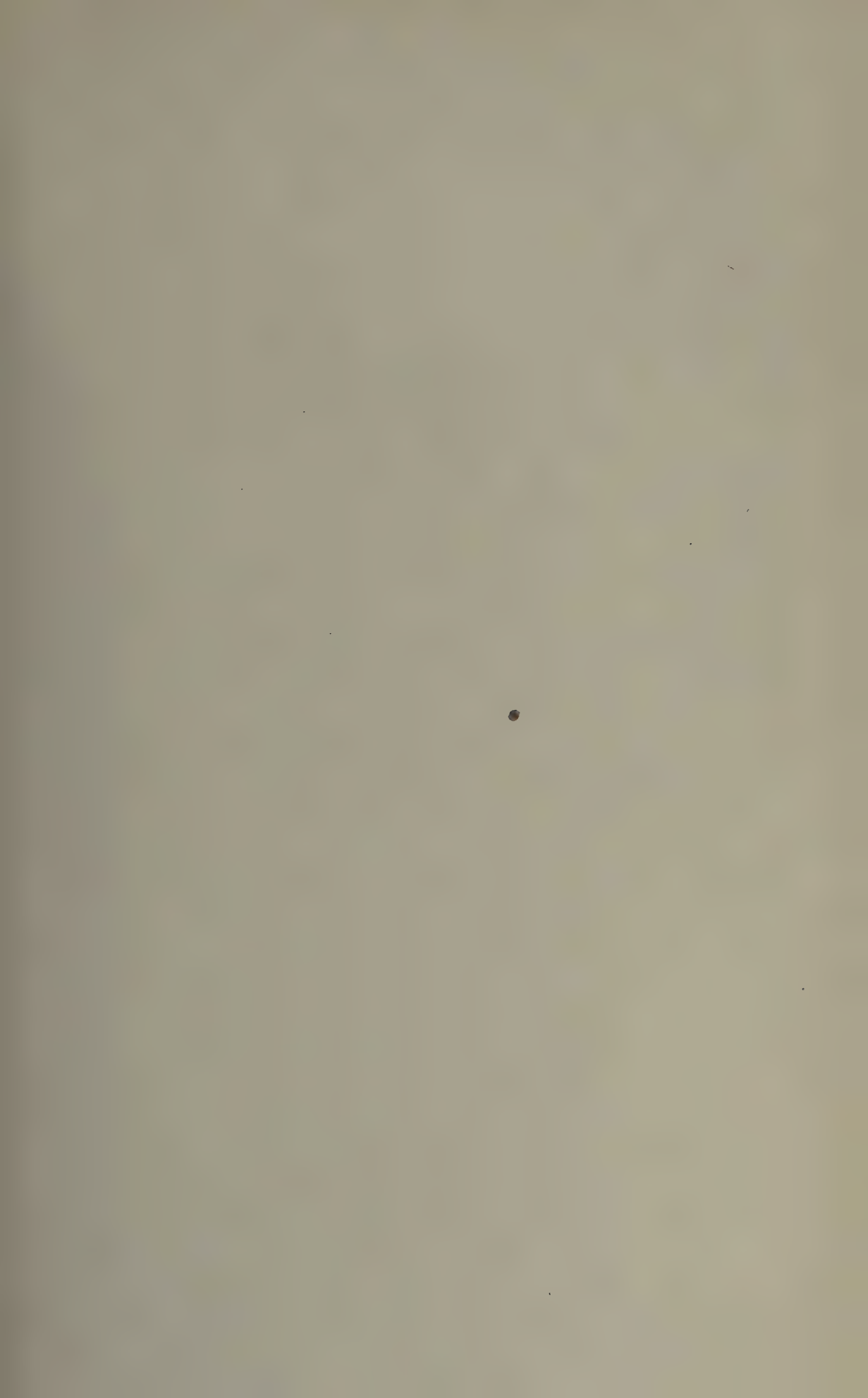
(c) 75 per cent. in amount of the rubber commitment creditors have assented thereto in writing;

(d) The Goodyear Tire and Rubber Company of Akron, Ohio, has assented thereto in writing;

(e) It has been approved in writing by the holders of at least 60 per cent. in amount of the preferred stock of the company outstanding or by resolution passed with the like approval at a meeting specially held to consider the same;

(f) It has been approved in writing by the holders of at least 60 per cent. in amount of the common stock of the company outstanding or by resolution passed with the like approval at a meeting specially held to consider the same; and

(2) When a special Act of the Legislature of the Province of Ontario confirming this scheme has become operative.



No. 215.

2nd Session. 15th Legislature.
11 George V, 1921.

BILL.

An Act respecting The Goodyear Tire
and Rubber Company of Canada,
Limited.

1st Reading, 11th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

(Reprinted as amended by the Private
Bills Committee.)

Mr. CURRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Crown Attorneys Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Crown Attorneys Amendment Act, 1921*. Short title.

2. Subsection 1 of section 16 of *The Crown Attorneys Act* is repealed and the following subsection substituted therefor:— Rev. Stat.,
c. 91,
s. 16 (1),
amended.

16.—(1) The Lieutenant-Governor in Council may commute the fees payable to a Crown Attorney for a fixed annual sum not exceeding the average income derived from fees during the next preceding three years.

3. This Act shall come into force upon the day upon which it receives the Royal Assent. Act to
become
effective.

No. 216.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Crown Attorneys
Act.

1st Reading.	11th April, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Game and Fisheries Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Game and Fish-eries Act, 1921.* Short title.

2.—(1) Subsection 2 of section 9 of *The Ontario Game and Fisheries Act*, as amended by section 5 of *The Ontario Game and Fisheries Amendment Act, 1916*, section 36 of *The Statute Law Amendment Act, 1917*, section 3 of *The Ontario Game and Fisheries Act, 1919*, and section 4 of *The Ontario Game and Fisheries Act, 1920*, is further amended by adding at the end thereof the following words: “nor shall this apply to the taking of bear and wolf by any means nor to fox taken by gun and dog,” so that the subsection will now read as follows: Rev. Stat., c. 262, s. 9, subs. 2, amended.

(2) No person shall hunt, take, trap, shoot, kill or molest or attempt to hunt, take, trap, shoot, kill or molest any fur-bearing animals except under the authority of a license or permit, but this shall not apply to a farmer or his sons trapping upon the lands of such farmer, animals other than beaver and otter during the various open seasons nor shall this apply to the taking of bear and wolf by any means, nor to fox taken by gun and dog. Hunting and trapping license.

(2) Section 9 of *The Ontario Game and Fisheries Act*, as amended by section 5 of *The Ontario Game and Fisheries Amendment Act, 1916*, section 36 of *The Statute Law Amendment Act, 1917*, section 3 of *The Ontario Game and Fisheries Act, 1919*, and section 4 of *The Ontario Game* Rev. Stat., c. 262, s. 9, amended.

and *Fisheries Act, 1920*, is further amended by adding thereto the following subsections:—

Cold
storage
license.

- (3) No person shall engage in the business of cold storage of game except under the authority of a license.

Game
dealers'
license.

- (4) No person shall buy, sell or expose for sale game except under the authority of a license.

Hotel,
restaurant
or club
license.

- (5) No hotel, restaurant or club shall be in possession of any game except under the authority of a license.

Rev. Stat.,
c. 262, s. 10,
subs. 1,
cl. a,
repealed.

3.—(1) Clause *a* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act* is repealed and the following substituted therefor:—

Deer.

- (a) Any moose, deer, reindeer, or caribou in that part of Ontario lying north of the main-line of the Canadian Government Railway, formerly the Grand Trunk Pacific Railway, from Quebec to the Manitoba boundary line, from the 1st day of October to the 30th day of November, both days inclusive.

Rev. Stat.,
c. 262, s. 10,
subs. 1, cl. d,
repealed.

(2) Clause *d* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as amended by section 6 of *The Ontario Game and Fisheries Amendment Act, 1916*, section 2 of *The Ontario Game and Fisheries Act, 1918*, and section 5 of *The Ontario Game and Fisheries Act, 1920*, is repealed and the following substituted therefor:—

Grouse.

- (d) Any ruffed grouse, commonly known as partridge, except from the 5th day of November to the 20th day of November in each year, both days inclusive, and no person shall take, kill or have in possession any more than ten partridge in any one year:

Pheasant or
prairie
fowl.

- (dd) Any pheasant or prairie fowl before the 5th day of November, 1923, and thereafter except from the 5th day of November to the 20th day of November in each year, both days inclusive.

Rev. Stat.,
c. 262, s. 10,
subs. 1,
cl. e
amended.

(3) Clause *e* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as amended by section 6 of *The Ontario Game and Fisheries Amendment Act, 1916*, is

further amended by striking out the words and figures "15th day of October to the 15th day of November," and substituting therefor the following words and figures "15th day of September to the 15th day of October," so that the said clause will now read as follows:—

- (e) Any woodcock except from the 15th day of Sept-^{Woodcock.}
ember to the 15th day of October, both days in-
clusive.

(4) Clause *ii* of subsection 1 of section 10 of *The On-*^{Rev. Stat.}
tario Game and Fisheries Act, as amended by section 2^{c. 262,}
of *The Ontario Game and Fisheries Act, 1918*, and section^{s. 10, subs.}
6 of *The Ontario Game and Fisheries Act, 1919*, is further^{1, cl. ii}
amended by inserting the word "except" after the words
"lesser yellow legs" where they appear therein so that the
clause will now read as follows:—

- (ii) Black breasted and golden plover, wilson or jack^{Plover,}
snipe and the greater and lesser yellow legs ex-^{snipe, etc.}
cept from the 1st day of September to the 15th
day of December in any year, both days in-
clusive.

(5) Clause *k* of subsection 1 of section 10 of *The Ontario*^{Rev. Stat.}
Game and Fisheries Act, as amended by section 6 of *The*^{c. 262, s. 10,}
Ontario Game and Fisheries Amendment Act, 1917, is re-^{subs. 1,}
pealed.^{cl. k re-}
pealed.
Hares.

(6) Subsection 2 of section 10 of *The Ontario Game and*^{Rev. Stat.}
Fisheries Act, as amended by section 6 of *The Ontario Game*^{c. 262, s. 10,}
and Fisheries Amendment Act, 1916, is repealed.^{subs. 2 re-}
pealed.
Cotton-tail
rabbits.

4. Subsection 5 of section 11 of *The Ontario Game and*^{Rev. Stat.}
Fisheries Act, as amended by section 7 of *The Ontario*^{c. 262, s. 11,}
Game and Fisheries Act, 1919, is repealed, and the follow-^{subs. 5, re-}
ing substituted therefor:—^{pealed.}

- (5) Nothing in this section shall apply to any person^{permit}
destroying any fur-bearing animals in defence^{required}
or preservation of his property by any means^{for sale of}
at any time, but skins so taken shall not be^{unprimed}
offered for sale or barter during the close season^{skins.}
except under the authority of a permit issued
by the Deputy Minister, and any fur dealer
possessing such skins must hold the permit so
issued and forward same to the department when
applying for a permit to ship out of the prov-
ince, or to dress or tan the skins.

Rev. Stat.
c. 262, s. 11b
repealed.

5. Section 11b of *The Ontario Game and Fisheries Act*, as enacted by section 7 of *The Ontario Game and Fisheries Act, 1920*, is repealed, and the following substituted therefor:—

Royalties.

11b. It shall be unlawful for any person or persons to ship to any point outside the province or attempt to take or ship to any point outside the province, any raw or undressed skins or pelts of fur-bearing animals or to have such skins or pelts sent to a tanner to be dressed or plucked or treated in any way without first having obtained a permit from the department, and a royalty must be paid on each and every skin as follows:—

Bear	\$.60
Fisher	1.50
Fox (cross)	1.50
Fox (red)75
Fox (silver and black)	10.00
Fox (white)	1.50
Fox (not specified)50
Lynx50
Marten	1.00
Mink25
Muskrat05
Raccoon10
Skunk10
Weasel05
Wolverine40

but such royalty shall not apply to foxes bred on fur farms operating within the province under the authority of a permit issued by the Minister.

Rev. Stat.
c. 262, s. 13,
subs. 2
amended.
Cow moose,
calves, etc.

6.—(1) Subsection 2 of section 13 of *The Ontario Game and Fisheries Act* is amended by striking out the word “fawns” where it appears in the marginal note of the subsection and substituting therefor the word “calves.”

Rev. Stat.
c. 262, s. 13,
subs. 4
amended.

(2) Subsection 4 of section 13 of *The Ontario Game and Fisheries Act* is amended by adding at the end thereof the following words, “but this shall not apply to deer taken under the authority of a special camp license which entitles organized hunting parties to kill one deer to be eaten in camp and such license may be issued to every six persons” so that the said subsection will now read as follows:—

Aggregate
kill.

- (4) Two or more persons hunting together and holding licenses may kill an aggregate of not more than one deer for each member of the party, but this shall not apply to deer taken under the authority of a special camp license which entitles organized hunting parties to kill one deer to be eaten in camp, and such license may be issued to every six persons.

7. Section 13a of *The Ontario Game and Fisheries Act*, Rev. Stat. c. 262, s. 13a as enacted by section 8 of *The Ontario Game and Fisheries Act, 1920*, is repealed.

8.—(1) Subsection 3 of section 14 of *The Ontario Game and Fisheries Act*, as amended by section 11 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by adding at the end thereof the following words, “but this shall not apply to two persons hunting together who may place an aggregate of one hundred decoys in a flock,” so that the said subsection will now read as follows:—

- (3) No blinds or decoys for use in hunting duck or other water fowl shall be placed at a greater distance than two hundred yards from the shore or a natural rush bed thick enough to conceal a boat, or from a water line bounding private property, and all decoys shall be removed from the water during the hours in which shooting is prohibited, and no person shall set out more than one flock of decoys, and no flock of decoys shall consist of more than fifty, and no two flocks shall be placed nearer each other than one hundred yards, but this shall not apply to two persons hunting together who may place an aggregate of one hundred decoys in a flock.

(2) Subsection 5 of section 14 of *The Ontario Game and Fisheries Act*, as enacted by section 9 of *The Ontario Game and Fisheries Act, 1920*, is amended by inserting after the word “and” in the second line thereof the words “ruffed grouse commonly known as,” so that the said subsection will now read as follows:—

- (5) The purchase or sale of wild ducks, wild geese or other water fowl, snipe, quail, woodcock, and ruffed grouse, commonly known as partridge, is prohibited.

9. Subsection 2 of section 15 of *The Ontario Game and Fisheries Act* is repealed.

Rev. Stat.
c. 262, s. 40,
subs. 1,
cl. b,
amended.

10.—(1) Clause *b* of subsection 1 of section 40 of *The Ontario Game and Fisheries Act*, as amended by section 12 of *The Ontario Game and Fisheries Act, 1919*, is further amended by striking out the words “moose, deer, caribou and” where they appear after the word “of” in the first line thereof, so that the clause will now read as follows:—

Possession
of game in
close season.

(b) Skins of fur-bearing animals may be had in possession during the close season under the authority of a permit issued by the Deputy Minister not later than ten days after the end of the open season, and specifying the number and description of such skins.

Rev. Stat.
c. 262, s. 40,
subs. 2,
repealed.

(2) Subsection 2 of section 40 of *The Ontario Game and Fisheries Act* is repealed.

Rev. Stat.
c. 262, s. 41,
subs. 5,
amended.

11. Subsection 5 of section 41 of *The Ontario Game and Fisheries Act*, as enacted by section 11 of *The Ontario Game and Fisheries Act, 1920*, is amended by striking out the words, “or the skins or pelts of protected animals” after the word “thereof” where it appears in the fourth line, so that the subsection will read as follows: —

Fur
traders'
licenses.

(5) No person shall engage in, or carry on, or be concerned in trading, buying or selling, or be in possession of fur-bearing animals, or skins, or pelts thereof, except under the authority of a license.

Rev. Stat.
c. 262, s. 48,
subs. 1, cl. a,
amended.

12.—(1) Clause *a* of subsection 1 of section 48 of *The Ontario Game and Fisheries Act*, as amended by section 23 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by striking out the words, “to carry guns, rifles and firearms and” after the word “Ontario” where it appears in the first line thereof, so that the clause will now read as follows:—

Hunting
license,—
non-resident.

(a) A person not resident in Ontario to hunt and shoot, and the fee for such license shall be \$25.

Rev. Stat.
c. 262, s. 48,
subs. 1, cl. b,
amended.

(2) Clause *b* of subsection 1 of section 48 of *The Ontario Game and Fisheries Act* is amended by adding at the end thereof the following words: “and a special camp license to hunt deer may be issued to such resident and the fee for such license shall be \$3,” so that the said clause will now read as follows:—

- (b) A resident of Ontario to hunt deer, and the fee ^{License to residents to hunt deer.} for such license shall be \$3; and a special camp license to hunt deer may be issued to such resident and the fee for such license shall be \$3.

13.—(1) Clause *b* of section 49 of *The Ontario Game and Fisheries Act*, as amended by section 6 of *The Ontario Game and Fisheries Act, 1914*, and section 8 of *The Ontario Game and Fisheries Act, 1918*, is further amended by striking out the words “or the skins or pelts of protected animals” after the word “animals” where it appears for the first and second times therein, so that the clause will now read as follows:—

- (b) Any person during the open season and during the period in the close season from the end of the ^{Game license—sale in open season.} open season in any year to the 1st day of January of the following year to buy and sell and within the limits of the municipality for which such license is issued to expose for sale game other than fur-bearing animals lawfully killed and procured, and during such period and upon the conditions prescribed by the regulations, game other than fur-bearing animals imported into Ontario specified and described in the regulations, and lawfully hunted, killed or procured according to the law of the province, state or country in which the same were killed or procured, and the fee for such license shall be, in cities having a population of 50,000 or over, \$10, and in cities having a population of less than 50,000 and not more than 25,000, \$5, and in cities having a population of less than 25,000, and in towns, \$2, and in villages and townships, \$1.

(2) Clause *c* of section 49 of *The Ontario Game and Fisheries Act* is amended by striking out the words “supply ^{Rev. Stat., c. 262, s. 49, cl. c, amended.} for or as a part of a meal served upon its premises” in the first and second lines thereof, and by substituting therefor the words “be in possession of,” so that the clause will now read as follows:—

- (c) A hotel, restaurant or club to be in possession of ^{Supply of game by hotels, etc.} any game lawfully obtained during the period in which the same may be lawfully kept in cold storage; and the fees for such license shall be, in cities having a population of not less than

100,000, \$10; in other cities having a population of not less than 50,000, \$5; and in all other municipalities, \$1.

Rev. Stat.,
c. 262, s. 49,
cl. d,
amended.

(3) Clause *d* of section 49 of *The Ontario Game and Fisheries Act*, as enacted by section 13 of *The Ontario Game and Fisheries Act, 1920*, is amended by striking out the words "or the skins or pelts of protected animals" after the word "thereof" where it appears in the second line, and by adding at the end thereof the following:—

"For a resident British subject purchasing for personal use, restricted as to time and quantity, to be known as 'restricted' license....\$1.00"

so that the clause will now read as follows:—

Fur dealers'
licenses.

(*d*) Any person to buy or sell fur-bearing animals or the skins or pelts thereof, and the fee for such license shall be:

For a resident British subject on specific premises to be known as "store license".....\$25.00

For resident British subject where premises are not designated to be known as "travelling fur buyer"\$100.00

For a resident of the province who is not a British subject and for a non-resident....\$200.00

For a resident British subject on specific premises to be known as "wholesale" license....\$100.00

For non-resident wholesale buyers purchasing direct from holders of a "wholesale" license..\$5.00

For a resident British subject purchasing for personal use, restricted as to time and quantity, to be known as "restricted" license\$1.00

Rev. Stat.,
c. 262, s. 49,
cl. e,
amended.

(4) Clause *e* of section 49 of *The Ontario Game and Fisheries Act*, as enacted by section 19 of *The Ontario Game and Fisheries Act, 1919*, is amended by striking out the words "or protected" in the third line thereof, so that the clause will now read as follows:—

Tanners'
and curers'

(*e*) Any person engaged in the business of dressing, plucking, dyeing, tanning, or other process of curing skins of fur-bearing animals, and the fee for the same shall be \$10.

14. Subsection 11 of section 61 of *The Ontario Game and Fisheries Act*, as amended by subsection 2 of section 30 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by striking out the words "the Deputy Minister, superintendent, inspectors and wardens" in the second line thereof and by substituting therefor the following: "all officers in connection with the enforcement of the Act," so that the subsection will now read as follows:—

- (11) All the provisions of this section as to overseers shall apply to all officers in connection with the enforcement of the Act so far as is consistent with their respective duties; and all sheriffs, deputy sheriffs, provincial police or constables, county constables, police officers, wood rangers, crown lands agents, timber agents and fire wardens shall *ex officio* be overseers.

15. Subsection 2 of section 62 of *The Ontario Game and Fisheries Act*, as amended by section 21 of *The Ontario Game and Fisheries Act, 1919*, is further amended by striking out all the subsection after the word "service" where it appears in the second line, so that the subsection will now read as follows:—

- (2) Deputy game and fishery wardens shall be appointed without salary, except when on special service.

16.—(1) Subsection 1 of section 65 of *The Ontario Game and Fisheries Act*, as enacted by section 32 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by inserting the words "or any licensee who violates the conditions of any other license or permit" after the word "license" where it appears in the fourth line thereof, so that the subsection will now read as follows:—

- (1) Any person who commits any offence against the provisions of this Act in respect of fish or fishing or any licensed fisherman who violates the conditions of his license, or any licensee who violates the conditions of any other license or permit, shall for each offence incur a penalty of not less than \$5 and not more than \$300.

(2) Subsection 6 of section 65 of *The Ontario Game and Fisheries Act* is repealed.

Rev. Stat.,
c. 262, s. 65,
subs. 7,
amended.

(3) Subsection 7 of section 65 of *The Ontario Game and Fisheries Act*, as amended by section 12 of *The Ontario Game and Fisheries Act, 1918*, is further amended by inserting the words "motor vehicles" after the word "all" where it appears in the first line thereof, so that the subsection will now read as follows:—

Confisca-
tion of
game, etc.

(7) All motor vehicles, ammunition, boats, skiffs, canoes, punts and vessels of every description, decoys, nets, rods, lines, tackle and all appliances of every kind used for hunting or fishing, and all game and fish found in the possession of any person committing an offence against this Act or in respect of which any such offence was committed, shall upon seizure be forfeited and save as hereinafter provided shall become the property of His Majesty and shall be forwarded to the Deputy Minister to be sold, and the proceeds paid to the Treasurer of Ontario.

Commence-
ment of
Act.

17. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Game and
Fisheries Act.

1st Reading, 11th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. MILLIS.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Northern Light Railways Company.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern Light Railways Act, 1921.* Short title.

2. Section 2 of the Act to incorporate The Northern Light Railways Company, being chapter 152 of the Statutes of Ontario, 1920, is amended by striking out all the words therein after the words "to a point at or near Boston Creek Station on the Temiskaming and Northern Ontario Railway" and inserting in lieu thereof the following: "from some point at or near Swastika Station in the Township of Teek, running westerly and south-westerly through the Townships of Eby, Burt, Holmes, Alma, Flavelle, Cairo and Powell to a point at or near Fort Matachewan in the Township of Powell, with power to construct branches or extensions at different points along any of the said railways hereinbefore described to connect with the Temiskaming and Northern Ontario Railway and any other railways that may be built; and to survey, lay out, construct, complete, equip and maintain light, narrow gauge railways to be operated by steam, electricity or other motive power in the Island of Manitoulin from a point in or near the Town of Little Current through the Townships of Howland, Bidwell, Sheguinadah and Assiginack to a point at or near Manitowaning on Manitowaning Bay, and from a point at or near the Town of Little Current through the Townships of Howland, Bidwell, Billings, Carnarvon, Campbell, Mills, Allan and Gordon or any of them passing to the south of Lakes Mindemoya and Kagawong to a point in or near the Town of Gore Bay." Additional lines authorized.

3. Unless the works by the amendment made in section 2 authorized to be constructed on the Island of Manitoulin are commenced before the 1st day of March, 1922, the powers hereby conferred as to such works shall cease and be at an end and unless the said works in the Island of Manitoulin are completed within two years from the said date the powers so conferred shall cease and be at an end as to any part of the said works then incomplete. Time for commencement and completion of works on Manitoulin Island.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Northern Light
Railways Company.

1st Reading, 12th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. BOWMAN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the purchase by the City of Toronto of the Assets of Certain Companies.:

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Toronto Power and Railway Purchase Act, 1921.* Short title.

2. The Corporation of the City of Toronto is authorized to purchase the distribution systems of the Toronto and Niagara Power Company, and the Toronto Electric Light Company, Limited, or either of them, or such portions thereof as may be agreed upon between the said corporation and the vendors. City authorized to purchase distribution plants.

3. The Corporation of the City of Toronto is further authorized to purchase all tracks, poles, lines and works of the Metropolitan division of the Toronto and York Radial Railway situate upon the highways lying within the limits of the said city. And Metropolitan Ry. in city limits.

4. The agreement or agreements for the purchase of the properties mentioned in sections 2 and 3 shall be approved of by by-law of the municipal council of the Corporation of the City of Toronto, and, when so approved, shall be signed by the mayor of the said city and by the treasurer thereof, and the said treasurer shall affix the seal of the said corporation thereto. Approval and execution of agreements.

5. Upon the execution of the agreement for the purchase of the property mentioned in section 3, the said property and all franchises, rights and privileges necessary to the construction, maintenance and operation of a railway on the highways upon which the said property is situate shall be vested in the Corporation of the City of Toronto, free from all claims of any person or of any municipal or other corporation. Property in railway vested in city free of all claims.

Debentures
for
\$7,811,295
authorized.

6. The Corporation of the City of Toronto is authorized to issue debentures of the said city to a total amount not exceeding \$7,811,295, dated the 1st day of December, 1920, and payable in twenty years from the said date with interest thereon half-yearly at the rate of six per cent. per annum, and to deliver the same in payment of the price of the properties purchased under sections 2 and 3.

Assent of
electors not
required.

7. It shall not be necessary to submit any by-law for the issue of debentures under this Act to the electors of the said city qualified to vote on money by-laws or to observe any of the formalities in relation thereto prescribed by *The Municipal Act*, and the said debentures shall not be included as part of the debt of the Corporation of the City of Toronto in estimating the limits of its borrowing powers.

Distribution
plants to be
controlled
and operated
by electric
commission
of city.

8.—(1) The property acquired by the Corporation of the City of Toronto under section 2 shall be under the control and management of and shall be operated by the Toronto Electric Commission, herein called the "Commission," as part of the system of the said city for the distribution of electrical power or energy for lights, heat or power purposes, and the commission, with respect to the said property, shall possess the like powers and shall perform the like duties as in the case of the works now controlled and operated by the commission in the City of Toronto.

Railway to
be part of
city system.

(2) The property acquired under section 3 shall be controlled and operated by the said corporation as part of its municipal street railway system in the same manner as the municipal street railways now owned and operated by the said corporation.

Transfer
of certain
assets and
rights to
Power
Commission
authorized.

9. The Corporation of the City of Toronto is authorized to transfer to the Hydro-Electric Power Commission of Ontario certain railway assets it now owns within the city on the Kingston Road to the Woodbine and on the Lake Shore Road from the Humber to Sunnyside; and to enter into an agreement with the said commission providing for the construction or acquisition and operation of a railway by the said commission or the said corporation, upon the roads as above described, and the giving by either party to the other of running rights or a right-of-way.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 219.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Purchase by the
City of Toronto of the Assets of Certain
Companies.

1st Reading.	12th April, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. CARMICHAEL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Temperance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 70 of *The Ontario Temperance Act* is amended by adding after the word “elsewhere” in the fourth line the words “or in any boat on the inland waters of Canada within the Province of Ontario” and by adding after the word “vehicle” in the sixth line the words “or boat” and the said subsection 2 as so amended shall read as follows:

- (2) Any inspector, policeman, constable or officer, if he believes that liquor intended for sale or to be kept for sale or otherwise in contravention of this Act, is contained in any vehicle on a public highway or elsewhere or in any boat on the inland waters of Canada within the Province of Ontario, or is concealed upon the land of any person, may enter and search such vehicle or boat and may enter upon and search such land and seize and remove any liquor found there and the vessels in which the same is kept; or if he finds either upon the public highway or elsewhere, any trunk, box, valise, bag or other receptacle whatever which he believes contains liquor for sale or otherwise in contravention of this Act, he may forthwith seize and remove the same together with the package or packages in which such liquor is contained whether in the custody of or under the control of any person or not.

2. *The Ontario Temperance Act* is amended by adding thereto the following section.

139a. In the event of the importation of intoxicating liquor into the Province of Ontario for beverage purposes being prohibited under the provisions

1916, c. 50,
s. 70, subs. 2,
amended.

Amendment
of s. 139 in
conformity
with pro-
hibition of
importation.

of sections 153 and 154 of *The Canada Temperance Act* as enacted by chapter 8 of an Act passed by the Parliament of Canada in the tenth year of the reign of His Majesty, King George V, section 139 of *The Ontario Temperance Act* shall upon the issue of the proclamation of the Lieutenant-Governor in Council provided for by section 10 of *The Liquor Transportation Act, 1920*, be deemed to be amended to the extent necessary to give full effect to the said prohibition and to the provisions of the said last-mentioned Act.

1917, c. 50,
s. 51,
repealed.
Sale of
temperance
beers, etc.

3. Section 146a of *The Ontario Temperance Act* as enacted by section 51 of *The Ontario Temperance Amendment Act, 1917*, is repealed and any by-laws passed thereunder are repealed.

No. 220.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario
Temperance Act.

1st Reading, 12th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Mothers' Allowances Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mothers' Allowances Act*, 1921. Short title.

2. The clause lettered *a* in section 3 of *The Mothers' Allowances Act* is amended by striking out the words "in Ontario" in the second line and substituting therefor the words "in Canada" and by adding at the end of the said clause after the word "family" the words "or of a man who has deserted her and who has not been heard of for at least five years" so that the clause will read as follows:

(a) Is a widow or the wife of an inmate of a hospital for the insane in Canada or of a man who is permanently disabled and incapable of contributing to the support of his family, or of a man who has deserted her and who has not been heard of for at least five years. To whom allowance may be paid.

3. The clause lettered *b* in section 3 of *The Mothers' Allowances Act* is amended by striking out the word "resident" in the first line and substituting therefor the word "domicile" so that the clause will read as follows:

(b) Was domiciled in Canada at the time of the death or total disability of the father of the children on whose behalf the allowance is to be made, and for a period of three years immediately prior to the application for an allowance. Domicile of mother.

4. The said section 3 of *The Mothers' Allowances Act* is amended by adding thereto the following subsection:

(2) A like allowance may be paid to a woman who is a British subject domiciled and resident as afore-

said and is a fit and proper person to have the care and custody of children and who:

(a) Has resident with her and under her care a child over the age of fourteen years or a husband who is permanently disabled and incapable of contributing to the support of the family and has also resident with her one of her own children born in lawful wedlock under the age of fourteen years and has not adequate means to care properly for such child without the assistance of an allowance under this Act; or

Allowance
to foster
mother.

(b) Is married or unmarried and has resident with her two or more orphan children under fourteen years of age and is the grandmother, sister, aunt or other suitable person acting as the foster mother of such children and has not adequate means to care properly for them without the assistance of an allowance under this Act.

1920,
c. 89, s. 10,
amended.

5. Section 10 of *The Mothers' Allowances Act* is amended by adding thereto the following clause:

Reciprocal
arrange-
ment with
other
provinces.

(jj) For entering into arrangements with the Government of any other Province in the Dominion of Canada making similar provision for the payment of allowances to mothers as is made by this Act for the payment of such allowance in the case of any person who has been in receipt of such allowance in another Province and who moves into Ontario, or in the case of a person who has resided in such other Province and in Ontario for periods which together equal the term of residence required by this Act in the case of a resident of Ontario; but no such arrangement shall be entered into nor shall any such payment be made except where the Province concerned has passed legislation enabling reciprocal action with regard to beneficiaries under this Act who may move into such Province.

1920, c. 89,
amended.

6. *The Mothers' Allowances Act* is amended by adding thereto the following section:

3a. In cases presenting special circumstances where ^{Allowance in special cases.} investigation has shown the advisability of an allowance being granted to the children dependent upon a mother or foster mother who is not strictly eligible under the terms of section 3 of this Act, the commission may recommend to the Lieutenant-Governor in Council the granting of an allowance and the amount of the same, and the Lieutenant-Governor in Council may consider any such recommendation and direct the payment of an allowance accordingly.

7. This Act shall come into force on the day upon which ^{Commence-} it receives the Royal Assent. ^{ment of Act.}

No. 221.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Mothers'
Allowances Act.

1st Reading, 12th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend the Bills of Sale and Chattel Mortgage Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Bills of Sale and Chattel Mortgage Amendment Act, 1921.* Short title.

2. *The Bills of Sale and Chattel Mortgage Act* is amended by adding thereto the following section:— Rev. Stat., c. 135, amended.

8a. Where the Crown is mortgagee, bargainee or assignee, the provisions of this Act as to an affidavit of *bona fides* shall not apply. Where Crown mortgagee.

3. *The Bills of Sale and Chattel Mortgage Act* is further amended by adding thereto the following section:— Rev. Stat., c. 135, amended.

22a. Sections 21 and 22 shall not apply where the mortgage is made to the Crown. Crown not affected.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 222.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Bills of Sale and
Chattel Mortgage Act.

1st Reading, 13th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. CARMICHAEL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act concerning the Employment of Women during the Night.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Night Employment of Women Act*. Short title.

2. In this Act, unless the context otherwise requires:— Interpretation.

“Employed” means in receipt of a wage or salary as compensation for work performed for an employer; “Employed.”

“Employer” means a person directly or indirectly responsible for the payment of the wage or salary of a woman employed in any industrial undertaking; “Employer.”

“Industrial undertaking” includes:— “Industrial undertaking.”

(a) Mines, quarries, and other works for the extraction of minerals from the earth;

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind;

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any

building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;

But the term "industrial undertaking" shall not include any branch of the agricultural, horticultural, or dairying industry;

"Night."

"Night" means the period between the hour of eight o'clock in the evening and the hour of seven o'clock in the morning.

Night employment of women prohibited.

3.—(1) Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

Employment during night an offence.

(2) Every employer who employs any woman during the night in violation of the provisions of this Act shall be guilty of an offence against this Act.

Exceptions.

4. Section 3 shall not apply:—

(a) In cases of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which it not of a recurring character; or

(b) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

General power to make regulations.

5.—(1) For the purpose of carrying into effect the provisions of this Act according to their true intent, the Lieutenant-Governor in Council may make such regulations as are deemed necessary or advisable. All regulations so made shall forthwith be published in *The Ontario Gazette*, and thereupon shall have the same force and effect as if incorporated in this Act.

Seasonal occupations.

(2) In industrial undertakings which are influenced by the seasons, and in all cases where exceptional circumstances

demand it, the night period may be reduced by the regulations to ten hours on sixty days of the year.

6. Every person who violates any provision of this Act ^{violation} or of the regulations made under this Act shall be guilty of ^{of Act or} an offence against this Act, whether otherwise so declared ^{regulations} or not. ^{an offence.}

7. Every person guilty of an offence against this Act shall ^{Penalties.} be liable, on summary conviction, to a penalty not exceeding \$1,000.

8. This Act shall come into operation on a day to be ^{Commence-} fixed by the Lieutenant-Governor by his Proclamation, ^{ment of Act.} concurrently with or after the coming into operation in the other provinces of the Dominion of laws enacted by the respective legislatures of those provinces containing similar provisions to those contained in this Act.

No. 228.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act concerning the Employment of
Women During the Night.

1st Reading,	13th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. MacBride.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act concerning the Night Work of Young Persons Employed in Industry

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Night Employment of Young Persons Act*. Short title.

2. In this Act, unless the context otherwise requires:— Interpretation.

“Employed” means in receipt of a wage or salary as compensation for work performed for an employer;

“Employer” means a person directly or indirectly responsible for the payment of the wage or salary of a person employed in any industrial undertaking;

“Industrial undertaking” includes:—

- (a) Mines, quarries, and other works for the extraction of minerals from the earth;
- (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind;
- (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock,

pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;

But the term "industrial undertaking" shall not include any branch of the agricultural, horticultural, or dairying industry;

"Night" means the period between the hour of eight o'clock in the evening and the hour of seven o'clock in the morning.

Night
employment
of young
persons
prohibited.

3. Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, except as is by this Act or the regulations otherwise provided.

Offences.

4. Every employer who employs any young person in violation of the provisions of this Act, or who violates any provision of the regulations made under this Act, shall be guilty of an offence against this Act.

Penalties.

5. Every person guilty of an offence against this Act shall be liable, on summary conviction, to a penalty not exceeding \$1,000.

General
power to
make regu-
lations.

6.—(1) For the purpose of carrying into effect the provisions of this Act, according to their true intent, the Lieutenant-Governor in Council may make such regulations as are deemed necessary or advisable. All regulations so made shall forthwith be published in *The Ontario Gazette*, and thereupon shall have the same force and effect as if incorporated in this Act.

Power to
suspend
prohibition.

(2) Without thereby limiting the generality of the provisions contained in subsection 1, it is hereby declared that the power of the Lieutenant-Governor in Council to make regulations shall extend to the suspending of the prohibition of night work for young persons contained in this Act in the case of young persons between the ages of sixteen and eighteen years:—

(a) Where, by reason of serious emergency, the public interest demands it; or

- (b) Where, by reason of the nature of the process, work in any industrial undertaking is required to be carried on continuously day and night.

7. This Act shall come into operation on a day to be ^{Commence-}fixed by the Lieutenant-Governor by his Proclamation, ^{ment of} concurrently with or after the coming into operation in other provinces of the Dominion of laws enacted by the respective legislatures of those provinces containing similar provisions to those contained in this Act.

No. 224.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act concerning the Night Work of
Young Persons Employed in Industry.

1st Reading,	18th April,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. MacBRIDE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act Fixing the Minimum Age for Admission of Children to Industrial Employment

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Employment of Children* Short title.
Act.

2. In this Act, unless the context otherwise requires:— Interpreta-
tion.

“Employed” means in receipt of a wage or salary as compensation for work performed for an employer;

“Employer” means a person directly or indirectly responsible for the payment of the wage or salary of a person employed in any industrial undertaking;

“Industrial undertaking” includes:—

- (a) Mines, quarries, and other works for the extraction of minerals from the earth;
- (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind;
- (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock,

pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundation of any such work or structure;

But the term "industrial undertaking" shall not include any branch of the agricultural, horticultural, or dairying industry;

Limitation
as to age
at which
children
may be
employed.

3. Children who are males under the age of fourteen years or females under the age of fifteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

Exception
as to
technical
schools.

4. The provision of section 3 shall not apply to work done by children in technical schools, the work in which is approved and supervised by public authority.

Duty of
employer
to keep
register.

5. Every employer in an industrial undertaking shall keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

Offences.

6. Every employer who employs any child in violation of the provisions of this Act, or who fails to keep the register required by section 5, or who fails to produce such register for inspection on demand of any officer or constable of any Municipal Police or of the Provincial Police, shall be guilty of an offence against this Act.

Penalties.

7. Every person guilty of an offence against this Act shall be liable, on summary conviction, to a penalty not exceeding \$1,000.

Commence-
ment
of Act.

8. This Act shall come into operation on a day to be fixed by the Lieutenant-Governor by his Proclamation, concurrently with or after the coming into operation in the other provinces of the Dominion of laws enacted by the respective legislatures of those provinces containing similar provisions to those contained in this Act.

No. 225.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act Fixing the Minimum Age for
Admission of Children to Industrial
Employment.

1st Reading,	13th April,	1921.
2nd Reading,		1921.
3rd Reading,		1921.

Mr. MacBride.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Power Commission Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Power Commission Act*, Short title.
1921.

2.—(1) Subsection 2 of section 5 of *The Power Com-* 1915, c. 19,
mission Act as enacted by section 2 of *The Power Commis-* s. 2
sion Act, 1915, is repealed and the following substituted repealed.
therefor:—

(2) The chairman and each of the other members of Remunera-
the commission shall be paid the annual sum tion of
of \$6,000 out of moneys to be provided as set commiss-
out in clause of section 23 of this Act. sioners.

(2) The amendment made by subsection 1 shall have Amendment
effect as from the 1st day of January, 1920. to be
retroactive.

3. Clause *c* of section 23 of *The Power Commission Act* Rev. Stat.,
as amended by section 4 of *The Power Commission Act*, c. 39, s. 23,
1914, section 11 of *The Power Commission Act, 1915*, sec- cl. c
tion 11 of *The Power Commission Act, 1918*, and section amended.
3 of *The Power Commission Act, 1919*, is amended by
striking out the figures “\$15,000” in the said clause and
inserting the figures “\$18,000” in lieu thereof.

4. By-law No. 1198 of the Corporation of the City of By-laws
Sarnia; By-law No. 690 of the Corporation of the Town confirmed.
of Thorold; By-law No. 309 of the Corporation of the
Town of Merritton; By-laws Nos. 321 and 323 as amended
by By-law No. 331 of the Corporation of the Town of
Alexandria; By-laws Nos. 603 and 765 of the Corporation
of the Town of Kincardine; By-laws Nos. 817 and 818 of
the Corporation of the Town of Wingham; By-laws Nos.

721 and 724 of the Corporation of the Town of Uxbridge; By-laws Nos. 235 and 236 of the Corporation of the Village of Newbury; By-laws 7 of 1919 and 8 of 1919 of the Corporation of the Village of Lucknow; By-laws 448 and 454 of the Corporation of the Village of Norwood; By-laws Nos. 565 and 572 of the Corporation of the Village of Lakefield; By-laws Nos. 10 of 1919 and 11 of 1919 of the Corporation of the Village of Teeswater; By-laws Nos. 389 and 390 of the Corporation of the Village of Lancaster; By-law No. 597 of the Corporation of the Village of Lanark; By-law No. 775 of the Corporation of the Village of Port Perry; By-law No. 5 of 1920 of the Corporation of the Village of Wroxeter; By-laws Nos. 413 and 414 of the Corporation of the Village of Maxville; By-laws Nos. 241 and 242 of the Corporation of the Village of Kemptville; By-laws Nos. 503 and 504 of the Corporation of the Village of Kirkfield; By-law No. 20 of 1919 of the Police Village of Priceville; By-law No. 2 of 1920 of the Police Village of Martintown; By-law No. 358 of the Police Village of Apple Hill; By-law No. 313 of the Corporation of the Township of Winchester; and all the debentures issued or to be issued or purporting to be issued, under any of the said by-laws which authorize the issue of debentures, are confirmed and declared to be legal, valid and binding upon such corporations and the rate-payers thereof, respectively, and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act*, or the amendments thereto or any other Act of this Legislature.

No. 226.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Power Commission
Act.

1st Reading:	13th April,	1921.
2nd Reading:		1921.
3rd Reading:		1921.

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Practice of Architecture.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Architects Registration Act*. Short title.

2.—(1) The Lieutenant-Governor, by Order-in-Council, shall appoint a board to be known as the Architects Registration Board. Appointment of Board.

(2) The board shall consist of five members, and except as hereinafter provided they shall be British subjects, practising architects, residents of Ontario for at least five years prior to appointment, and qualified to register as architects under this Act. Qualifications for membership.

(3) The professor or assistant professor of architecture in the University of Toronto shall be eligible for appointment to the board. Professor eligible.

(4) Any four members of the board shall form a quorum. Quorum.

3.—(1) Members of the board shall hold office for the term of five, four, three, two and one years respectively in the order named in the Order-in-Council appointing them. Term of office.

(2) The Lieutenant-Governor in Council shall appoint annually one member for a term of five years.

4.—(1) Upon its appointment, and annually on the appointment of a new member, the board shall meet and elect one of its members to be registrar; the member so elected will also act as presiding officer of the board. Registrar.

(2) The registrar shall receive such remuneration for his services as the Lieutenant-Governor in Council may fix. Remuneration.

Where
registrar
absent.

(3) The board shall, if the registrar be absent, elect one of its members to preside at its meeting, who, while so presiding, shall have the same powers and exercise the same functions as the registrar.

Officers
and
servants.

5. The board may appoint such officers and servants as it may deem necessary.

Duties of.

6. The board shall, subject to the approval of the Lieutenant-Governor in Council:

Standard of
education.

(1) Fix the standard of preliminary education required of a candidate applying for registration;

Subjects
and
standards
required.

(2) Prescribe the subjects and evidence of attainment in the same that will be required of candidates for registration;

Fees.

(3) Establish a scale of fees to be paid by persons applying for examination;

Examiners.

(4) Appoint examiners, define their duties and fix their remuneration;

Rules and
regulations.

(5) Make rules and regulations in respect to examinations.

Where
examination
not re-
quired.

7. All persons being British subjects who have been engaged in the practice of architecture in Ontario since the 1st day of April, 1920, or some time prior thereto shall, upon furnishing to the board satisfactory proof of their having been so engaged, be entitled to be registered without passing any examination on payment to the registrar of a registration fee of \$25.

Register.

8. The board shall cause to be kept by the registrar a book or register, in which shall be entered the name of every person registered according to the provisions of this Act.

By-laws.

9. The board shall make such by-laws as it may deem necessary for the proper and better guidance, government, discipline, and regulation of the board, architects, and the profession of architecture and the carrying out of the provisions of this Act and such by-laws, when approved by the Lieutenant-Governor in Council, shall be published for two consecutive weeks in *The Ontario Gazette*, and shall not take effect until so published.

10.—(1) Every architect engaged in the practice of architecture in Ontario shall, on or before the 1st day of November in each year, pay to the registrar or to a person deputed by him to receive the same, such annual fee, not less than \$5 and not more than \$15, as may be prescribed by by-law of the board towards the general expenses of the board, and such fee shall be recoverable by suit in the name of the Architects' Registration Board in the Division Court of the division in which the architect resides. Annual fee.

(2) For any services rendered in the practice of architecture while he is in default in respect of any annual fee an architect shall not be entitled to recover in any court. Default in payment of.

11.—(1) On and after the 1st of January, 1922, no person who has not been duly registered under this Act shall by himself or by any other person, practise the profession of architecture for hire, gain or hope of reward, whether by way of fees, salary, rent, percentage of receipts or in any other form or shall pretend to hold or take or use the name or title of "architect" either alone or in combination with any other word or words or any name, title or description implying that he has registered under this Act. Unregistered person not to practise.

(2) Every person who contravenes any of the provisions of this section shall be liable, upon summary conviction by any court of competent jurisdiction, to a fine of not less than \$50 nor more than \$100 for the first offence and to a fine of not less than \$100 nor more than \$300 for any subsequent offence. Penalty.

(3) The penalties shall be recoverable with costs under the provisions of the law respecting summary convictions, and all such sums shall belong to the board. How recoverable.

12. All moneys arising from fees payable on registration or from examination fees or otherwise shall be applied for defraying the expenses of the board, and an annual report of the same shall be submitted to the Lieutenant-Governor in Council. Expenses, how defrayed.

No. 227.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Practice of
Architecture.

1st Reading, 13th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. HULL.

TORONTO:
PRINTED BY CLARSON W. JAMES.
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Public Service Superannuation Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Public Service Superannuation Act, 1921.* Short title.

2. *The Ontario Public Service Superannuation Act, 1920,* 1920, c. 4, amended. is amended by adding thereto the following section:—

23a.—(1) There shall be payable to every member of the board who is not in receipt of a salary from the Crown, out of any moneys appropriated for the administration of this Act, an allowance not exceeding \$15 per diem for every day's attendance at a meeting of the board and the said sum shall be payable by the Treasurer of Ontario upon the certificate of the chairman of the board. Per diem allowance to members of board.

(2) Notwithstanding anything in *The Legislative Assembly Act* or any other Act contained, a member of the board heretofore appointed who is also a member of the Legislature shall not be rendered ineligible or be disqualified from sitting and voting in the Assembly, nor incur any other penalty or liability whatsoever by reason of his receiving payment under subsection 1. Payment to members of Assembly who are members of board.

3. This Act shall come into force on the day upon which it receives the Royal Assent, and shall have effect as from the 15th day of June, 1920. Commencement of Act; to be retroactive to 15th June, 1920.

No. 228.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Public
Service Superannuation Act.

1st Reading,	14th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. DUFFY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 422a. By-laws may be passed by the council of a town by a three-fourths vote of all the members thereof and without the assent of the electors, for the purpose of entering into agreements with railway companies or transportation companies for establishing tourist traffic through such towns, for a period not to exceed five years, and providing for an expenditure in each of a period of not more than two years, of an amount not exceeding one mill in the dollar of the value of the rateable property of such town according to the last revised assessment thereof, for the purpose of building, repairing, altering or erecting docks, wharfs, buildings, or other terminal facilities in such town.
- Rev. Stat.,
c. 192,
amended.
Power to
agree with
railway
companies
as to
tourist
traffic and
erection of
docks, etc.

No. 229.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading, 14th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. JOHNSTON
(Simcoe).

TORONTO:
PRINTED BY CLARRISON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Temperance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 44 of *The Ontario Temperance Act* is amended by adding thereto the following subsection:—

1916, c. 50,
s. 44,
amended.

(3) Provided always that no sale of native wines from grapes grown and produced in Ontario may be made to any other person or corporation except the Board of License Commissioners for Ontario.

To whom
native
wines
may be
sold.

2. Subclause 2 of clause *a* of subsection 1 of section 51 of *The Ontario Temperance Act* is repealed and the following substituted therefor:—

1916, c. 50,
s. 51,
subs. 1,
cl. a,
sub-cl. 2,
repealed.

(2) Wines and distilled liquors not exceeding six ounces at any one time.

No. 230.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Temper-
ance Act.

1st Reading, 14th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. DEWAR.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend the School Laws.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Laws Amendment Act, 1921*. Short title.

2. Section 6 of *The Department of Education Act* is amended by adding thereto the following clause:— Rev. Stat.,
c. 265, s. 6,
amended.

(jj) Subject to the regulations and when approved by the Lieutenant Governor in Council, to declare that for the purposes of the apportionment of grants under this section, the public and separate schools in a village in any county, or in a village or in a town having a population of less than 1,500 in a provisional judicial district, shall be deemed rural public and separate schools. Rural
public and
separate
schools,
what may
be deemed.

3. Subsection 1 of section 11 of *The Public Schools Act, 1920*, is amended by striking out the words at the end thereof of "and no site shall be adopted without the consent of such meeting" and substituting therefor the words "and if a majority of the ratepayers present at the meeting by resolution approve of such site, the same shall be adopted by the board and no site shall be adopted by the board until so approved except as provided in the following subsections of this section." 1920, c. 100,
s. 11, subs. 1,
amended.

Rural
school
sites.

4. *The Public Schools Act, 1920*, is amended by adding thereto the following sections: 1920, c. 100,
amended.

15a—(1) The council of a township may by by-law passed with the consent of four-fifths of the whole number of members of the council before the 1st day of July in any year, set apart any By-law
setting
apart
township
school
area.

portion of the township lying contiguous to a city or town as a township school area and may declare that thereafter the school sections included in the township school area shall cease to exist as separate school sections and that the school boards having jurisdiction therein shall be dissolved.

When
by-law to
take effect.

- (2) The by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections shall remain in office until a board for the township school area has been elected and organized as hereinafter provided.

Board of
public
school
trustees
for
township
school
area.

- (3) There shall be a board of public school trustees for every township school area which shall consist of five members, and the board shall have and may exercise and perform the like powers and duties with respect to public schools in the township school area as in the case of a township board.

Election
of trustees.

- (4) The election of trustees shall be by ballot and shall be held as nearly as may be in the same manner as an election of members of a municipal council, and the secretary or secretary-treasurer of the board, or in the case of a first election, a person appointed by the inspector, shall be returning officer at such election and all the provisions of this Act applicable to the election of school trustees by ballot shall apply as nearly as may be to the election of school trustees under this section.

Incorporation.

- (5) Every board of school trustees of a township school area shall be a corporation by the name of "The board of school trustees of the township school area of " or by such other designation as the by-law may provide.

Approval
of Minister.

- (6) No by-law shall be passed under the provisions of subsection 1 until the same shall have been submitted to and approved in writing by the Minister.

Agreement
with urban
board.

- 15b. Subject to the approval of the Minister the board of public school trustees of a township school area may enter into an agreement with the board of education or board of public school trustees of a contiguous city or town for the purposes and in the manner provided by section 75.

15c—(1) Where the board of public school trustees of a township school area has entered into an agreement under section 15b with the board of a contiguous city or town, the council of the township may exempt the portion of the township included in such township school area from the general rate required to be levied under section 96, but such exemption shall not be granted until the Minister has given his approval thereto in writing.

Exemption
from town-
ship rate.

(2) Where an exemption is granted from the township rate under subsection 1, the township school area shall not share in the expenditure of any sum raised by any such general rate.

Where
exemption
granted
township
school area
not to share
in rate.

5. *The Public Schools Act, 1920* is amended by adding thereto the following section:

1920, c. 100,
amended.

37a. In addition to any other remedy possessed by public school trustees in unorganized townships or in unsurveyed territory, for the recovery of rates imposed under the authority of this Act, the trustees, with the approval of the inspector in writing signed by him, may bring an action in any court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor.

Collection
of rates in
unorganized
townships
by action.

6. Section 75 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor:

1920, c. 100,
s. 75 re-
pealed.

75—(1) The board of education or board of public school trustees in an urban municipality may agree with the board of public school trustees of a school section or township school area adjacent to the boundaries of the urban municipality, for the erection, equipment and maintenance by either of the boards, of a school or schools in the school section or township school area or in the urban municipality for the joint accommodation of pupils from the school section or township school area and from the urban municipality or from any designated area therein contiguous to the section or township school area, or for the joint use of a school or schools in the school section or township school area or in the urban municipality by pupils from the school section or township school area or from the urban municipality or such designated area.

Agreements
between
urban
boards and
rural boards
as to school
accommoda-
tion.

Terms of
Agreement.

- (2) The agreement shall fix the accommodation to be provided, and where schools are to be erected, provide for the erection thereof and the class of buildings to be erected and shall also fix the proportion of the cost of providing such accommodation or of erecting and maintaining the school to be contributed by the urban municipality, the school section and the township school area respectively.

Raising
propor-
tion of cost.

- (3) Each of the boards shall include in its annual estimates an amount sufficient to pay its proportion of such cost, and the same shall be levied, collected and paid over by the corporation of the urban municipality and the corporation of the township as part of the rate levied for public school purposes in the urban municipality or in the school section or township school area.

Agreement
to be
approved
by Minister.

- (4) The agreement shall not be binding nor shall it be acted upon until it has received the approval in writing of the Minister.

Regulations.

- (5) The Minister may make regulations in the manner provided by *The Department of Education Act* for the apportionment of the legislative and municipal grants in the case of schools to which this section applies and may fix the proportion which shall be paid on account of any such schools out of the legislative grants for rural and urban schools respectively, and the proportion of the municipal grant to rural schools which shall be paid on account of such school.

Rev. Stat.,
c. 267, s. 7
(1920, c. 99,
s. 4),
repealed.

7. Section 7 of *The Continuation Schools Act* as re-enacted by *The School Law Amendment Act, 1920*, is repealed and the following substituted therefor:

County
grant to
continua-
tion schools.

- 7.—(1) The council of every county shall on or before the 15th day of December in each year pay to the boards of all continuation schools in towns not separated from the county and in villages and townships in the county for the maintenance of continuation schools without any deduction on account of fees paid for county pupils, an amount equal to that apportioned by the Minister to such continuation schools out of the legislative grant for the maintenance of continuation schools.

- (2) Where the cost of maintenance of county pupils at a continuation school exceeds the amount apportioned by the Minister and the fees received, the county shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum equal to eighty per cent. of the total amount expended in paying off debentures issued to pay for permanent improvements and for providing the interest payable upon such debentures and an additional sum to be calculated as follows:—

From the total cost of maintenance of the continuation school the amount apportioned out of the legislative grant and any sums received for fees shall first be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be payable by the county.

- (3) Where a continuation school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.

- (4) The board and the county council may by agreement settle the amount to be paid by the county for the maintenance of county pupils in any year, but if they do not agree the same shall be settled by the Judge on the application of either party.

- (5) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 8.

- (6) Where a continuation school has been in existence for three years or more an award made by the Judge shall be binding for three years, and where it has not been in existence for three years, for one year only.

- (7) In case of a reference the board shall submit to the Judge a detailed statement of all receipts and expenditures for maintenance of the continuation school for each of the preceding years or a less period under consideration which shall be

certified by the auditors, and a statement certified by the chairman of the board of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of county pupils on whose account the demand for payment is made, and a statement certified by the chairman of the amount apportioned out of the legislative grant and of all fees received during each of such years or during such period, and shall also furnish to the Judge such further information as he may require.

Meaning of
"county
pupils,"
etc.

- (8) For the purposes of this section the terms "county pupils," "non-resident pupils," and "resident pupils" shall have the same meaning as in *The High Schools Act*.

Mainten-
ance of
county
pupils at
town
school.

- (9) Where the board of a continuation school in a separated town has notified the county clerk that the continuation school is opened to county pupils on the same terms as continuation schools in municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year pay a sum equal to eighty per cent. of the cost of the education of such county pupils at such continuation school.

Pupils
from
adjacent
county.

- (10) Where the board of a continuation school in a town not separated from the county or in a village or township has notified the clerk of any county adjacent to that in which the continuation school is situate, that such school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall on or before the 15th day of December in each year pay for the maintenance of pupils from such county attending the continuation school, a sum equal to eighty per cent. of the cost of the education of pupils at such continuation school.

Mode of
ascertain-
ing amount
payable
by county.

- (11) The amount payable under subsections 9 and 10 shall be ascertained as follows:

The total expenditure on the continuation school shall be determined by taking the sum of the total expenditure for maintenance, the total expended in paying off debentures issued to pay for per-

manent improvements, and the total expended in paying the interest on such debentures:—From the total expenditure thus calculated the amount apportioned out of the legislative grant and any sum received from fees shall first be deducted, the remainder shall be divided by the total number of days attendance of all pupils at such continuation school during the year for which payment is to be made, the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom the county is liable, the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by the county.

- (12) Where the parties do not agree as to the amount so payable the same shall be ascertained by the judge. Reference to county judge.
Judge on the application of either party.

- (13) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 7 certified in a similar manner, and shall furnish such further information as he may require. Material to be submitted.

- (14) The costs of a reference to the judge under this section shall be in his discretion and the amount thereof shall be fixed by him and he may direct to and by whom and in what manner the same shall be paid. Costs of reference.

8. Section 6 of *The High Schools Act* is amended by adding thereto the following subsection:— Rev. Stat., c. 268, s. 6, amended.

- (4) The council of any county, with the approval of the Lieutenant Governor in Council, may be by-law discontinue the high school districts within the county and establish a high school district to be comprised of the whole of the county and such by-law shall take effect on the 1st day of January next following the expiration of six months after the passing of the by-law. Authority to establish a high school district, comprising whole county.

9. Sections 34 and 35 of *The High Schools Act* are repealed and the following substituted therefor: Rev. Stat., c. 268, ss. 34, 35, repealed.

- 34.--(1) Where the cost of maintenance of county pupils at a high school exceeds the amount apportioned by the Minister and the fees received, County grant.

the council shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum equal to eighty per cent. of the total amount expended in paying off debentures issued to pay for permanent improvements and for providing the interest payable on such debentures, and an additional sum to be calculated as follows:—

How
calculated.

From the total cost of maintenance of the high school the amount apportioned out of the legislative grant and any sums received for fees shall first be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be the sum payable by the county.

Reckoning
attendance
in case of
new school.

- (2) Where a high school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.

Agreement
or reference
to county
judge.

- (3) The board and the county council may, by agreement, settle the amount to be paid by the county for the maintenance of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party.

Agreement
not to
affect
county aid.

- (4) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 39.

Term of
award.

- (5) Where a high school has been in existence for three years or more an award made by the Judge shall be binding for three years, and where it has not been in existence for three years, for one year only.

Material
to be
submitted
on reference.

- (6) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for maintenance of the high school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the

chairman of the board of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of the county pupils on whose account the demand for payment is made, and a statement certified by the chairman of the amount apportioned out of the legislative grants during each of such years or during such period, and shall also furnish to the judge such further information as he may require.

- 35.—(1) Where the board of a city or a separated town has notified the county clerk that the high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of education of county pupils at such high school. Maintenance of county pupils at high schools.
- (2) Where the board of a city, town, village or township has notified the clerk of any county adjacent to that in which the high school is situate that such high school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the maintenance of pupils from such county attending such high school a sum equal to eighty per cent. of the cost of the education of pupils at such high school. Maintenance of pupils from adjacent county.
- (3) Subsections 1 and 2 shall not apply to a city which has a population of 50,000 or over. Certain cities excepted.
- (4) Where the board of a municipality contiguous to a city gives notice to the city clerk that such high school is open to city pupils on the same terms as it is open to the resident pupils of the municipality in which the high school is situate the council of the city shall, on or before the 15th day of December in each year, pay to the board eighty per cent. of the cost of the education of city pupils at the high school. Contributions by city to cost of maintenance of pupils at school in adjoining municipality.
- (5) The amount payable under subsections 1, 2 and 4 shall be ascertained as follows:— Mode of ascertaining amount payable by city.
- The total expenditure on the high school shall be determined by taking the sum of the total expended for maintenance, the total expended in paying off debentures issued to pay for permanent improvements, and

the total expended in paying interest on such debentures: From the total expenditure thus calculated the amount apportioned out of the legislative grant and any sums received for fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such high school during the year for which payment is to be made, the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom such county or municipality is liable, the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by such county or municipality.

Reference.

- (6) Where the parties do not agree as to the amount so payable the same shall be ascertained by the judge on the application of either party.

Submission
of material
on reference.

- (7) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 6 of section 34, certified in a similar manner, and shall furnish such further information as he may require.

Rev. Stat.,
c. 268, s. 42,
repealed.

10. Section 42 of *The High Schools Act* is repealed and the following substituted therefor:—

When
schools
to be free.

- 42.—(1) No fees shall be payable by pupils attending a high school which they have a right to attend under the provisions of this Act.

When fees
may be
charged.

- (2) Pupils other than the pupils referred to in subsection 1 attending a high school shall pay such fees as the board may prescribe, but such fees shall not be greater than the average cost per pupil for maintenance in the high school.

Fees pay-
able to
treasurer.

- (3) The fees payable under this section shall be payable to the treasurer of the board.

Rev. Stat.,
c. 268, s. 50,
amended.

11. *The High Schools Act* is amended by adding thereto, the following section:—

Appoint-
ment of
advisory
officers.

- 50a. Subject to the approval of the Minister, a high school board or a board of education may appoint one or more officers qualified according

to the regulations to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the board as will enable them to plan intelligently for their vocational and educational advancement and every person so appointed shall be subject to the control of the advisory industrial committee, if any, appointed by the board, or if no such committee is appointed, shall be subject to the control of the board.

12. Section 12 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following subsection:—

- (2) Whenever it appears as a result of the valuation made under subsection 1 that after granting the benefits provided for in clauses *a* and *b*, further or additional benefits may be granted without impairing the solvency of the fund, the Lieutenant-Governor in Council upon the recommendation of the commission may make regulations—
- (a) Reducing the number of years of employment necessary to entitle a teacher or inspector to the superannuation allowance provided for in section 11; Regulations as to further or additional benefits.
- (b) Increasing the amount payable to a teacher or inspector retiring under section 11; Reducing number of years.
- (c) Providing for the return of contributions made to the fund with interest upon a teacher or inspector dying before becoming entitled to a pension under this Act. Increasing amount.
- (c) Providing for the return of contributions made to the fund with interest upon a teacher or inspector dying before becoming entitled to a pension under this Act. Providing for return of contributions.

13. Section 14 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following subsection:—

- (2) Notwithstanding anything in this Act contained, any person to whom an allowance is payable under this Act, who is insane or is otherwise physically or mentally incapable of managing his own affairs, or is an inmate of a hospital for the insane or of any institution, the commission appointed under section 13 may direct Where payee insane, etc.

that any cheque for moneys payable to such person shall be made payable to his wife, or child, or to some other member of his family or household, and in that case the endorsement of the cheque by the person so designated by the commission shall be a sufficient discharge of the fund to the extent of such payment.

1919,
c. 77, s. 9,
subs 1
reported.

14. Subsection 1 of section 9 of *The School Attendance Act, 1919*, is repealed and the following substituted therefor:

Appoint-
ment of
attendance
officers.

(1) The board of education or public school board, high school board and separate school board in every urban municipality shall appoint a school attendance officer or two or more school attendance officers for the enforcement of this Act.

1919,
c. 77, s. 9,
sub. 2,
amended. *

Apprehend-
ing and
dealing with
children
absent from
school.

15. Subsection 2 of section 9 of *The School Attendance Act, 1919*, is amended by inserting after the word "congregated" in the fifth line thereof the words "or at the request of the parent or guardian shall have authority to apprehend and deliver to the school from which he is absent or to his parent or guardian, without warrant, such child found illegally absent from school."

1919,
c. 77, s. 10,
amended.

Census of
children
by board.

16. Section 10 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the following words "but a board of education or board of school trustees shall have authority to make a complete census of all children resident in the municipality or school section who are not of the age of twenty-one years."

1919,
c. 77, s. 11,
amended.

17. Section 11 of *The School Attendance Act, 1919*, is amended by inserting after the word "warn" in the fifth line thereof the words "the parent or guardian of," and by striking out the words "and their parents and guardians" in the sixth line.

1919,
c. 77, s. 14,
sub. 1,
amended.

18. Subsection 1 of section 14 of *The School Attendance Act, 1919*, is amended by striking out all the words therein down to the word "year" in the third line and substituting therefor the words "the teacher or member of every pupil, separate, high or technical school shall once in each month of the school year or oftener if required by the municipal or school corporation appointing a school attendance officer."

1919,
c. 77, s. 14,
subs. 4,
amended.

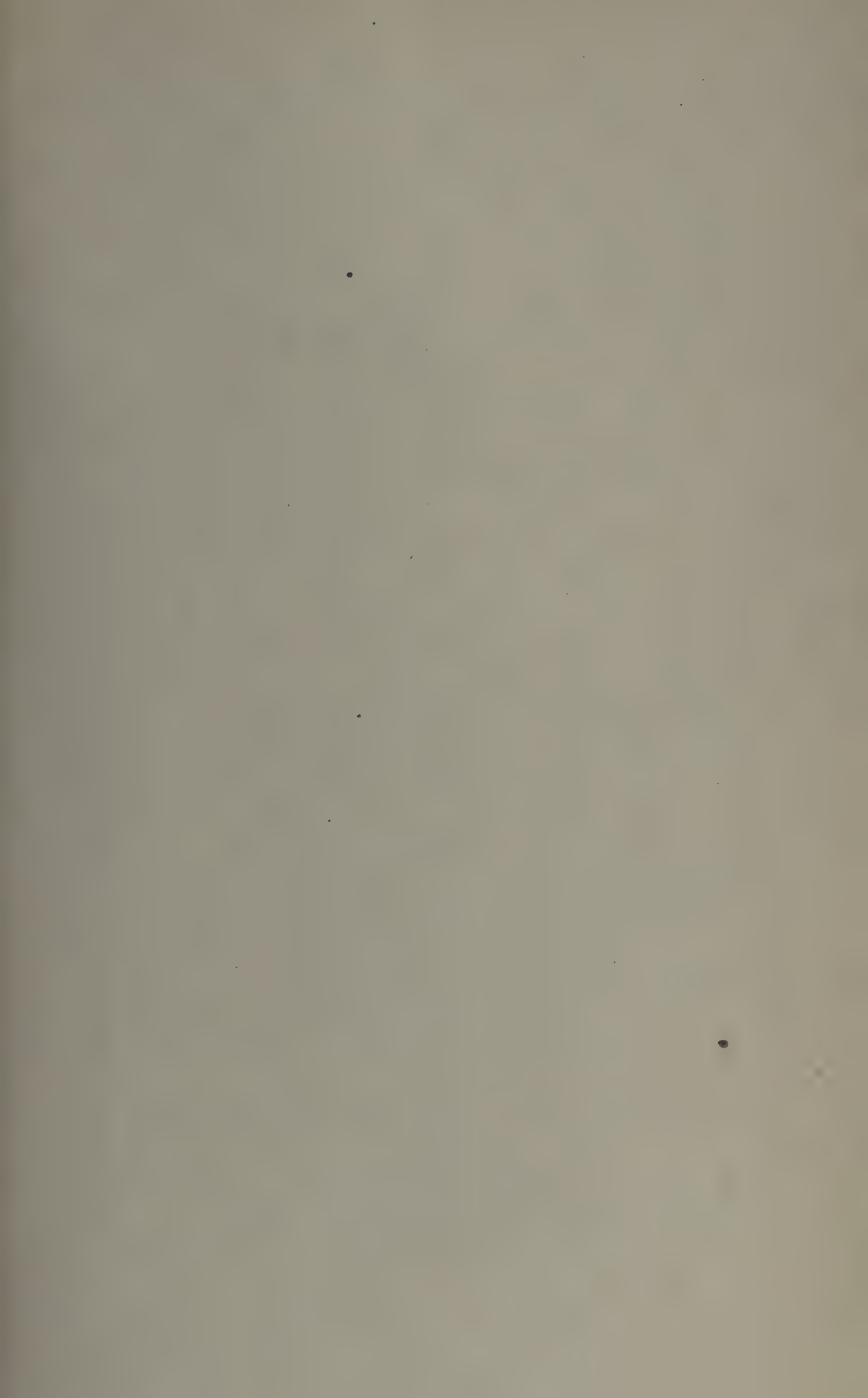
19. Subsection 4 of section 14 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the words "and of the school attendance officer."

20. Section 17 of *The School Attendance Act, 1919*, is ^{1919,} amended by adding after the words "Ontario Summary Con-^{c. 77, s. 17,} victions Act" the words "and shall be applied to such pur-^{amended.} poses as the Minister may direct."

21. Subsection 2 of section 16 of *The Adolescent School* ^{1919,} *Attendance Act, 1919*, is amended by adding at the end ^{c. 78, s. 16,} thereof the words "and shall be applied to such purposes as ^{sub. 2,} the Minister may direct." ^{amended.}

22. Section 18 of *The Adolescent School Attendance Act*, ^{1919,} *1919*, is amended by adding thereto the following subsec-^{c. 78, s. 18,} tion:— ^{amended.}

- (2) In an urban municipality where there is no board of education the school attendance officer or officers appointed by the board of public school trustees shall perform all the duties prescribed by this Act in connection with any high school or technical school in the municipality, and the high school board shall pay to the public school board its fair share of the cost of maintaining the attendance department and in case of disagreement the sum shall be determined by the Minister.
- <sup>Arrange-
ments as to
school
attendance,
officers for
adolescents
where no
board of
education.</sup>



No. 231.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the School Laws.

1st Reading, 15th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. GRANT.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend the School Laws.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Laws Amend-* Short title.
ment Act, 1921.

2. Section 6 of *The Department of Education Act* is Rev. Stat.,
amended by adding thereto the following clause:— c. 265, s. 6,
amended.

(jj) Subject to the regulations and when approved by Rural
the Lieutenant Governor in Council, to declare public and
that for the purposes of the apportionment of separate
grants under this section, the public and sep- schools,
arate schools in a village in any county, or in a what may
village or in a town having a population of less be deemed.
than 1,500 in a provisional judicial district,
shall be deemed rural public and separate schools.

3. Subsection 1 of section 11 of *The Public Schools Act*, 1920, c. 100,
1920, is amended by striking out the words at the end there- s. 11, subs. 1,
of "and no site shall be adopted without the consent of such amended.
meeting" and substituting therefor the words "and if a
majority of the ratepayers present at the meeting by reso- Rural
lution approve of such site, the same shall be adopted by the school
board and no site shall be adopted by the board until so sites.
approved except as provided in the following subsections of
this section."

4. *The Public Schools Act, 1920*, is amended by adding 1920, c. 100,
thereto the following sections: amended.

15a—(1) The council of a township may by by-law By-law
passed with the consent of four-fifths of the setting
whole number of members of the council before apart
the 1st day of July in any year, set apart any township
school
area.

portion of the township lying contiguous to a city or town as a township school area and may declare that thereafter the school sections included in the township school area shall cease to exist as separate school sections and that the school boards having jurisdiction therein shall be dissolved.



When
by-law to
take effect.

- (2) The by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections shall remain in office until a board for the township school area has been elected and organized as hereinafter provided.

Board of
public
school
trustees
for
township
school
area.


- (3) There shall be a board of public school trustees for every township school area which shall consist of five members, and the board shall have and may exercise and perform the like powers and duties with respect to public schools in the township school area as in the case of a township board.


Election
of trustees.

- (4)  For the year following the year in which the by-law takes effect and in each year thereafter a board of public school trustees shall be elected for the township school area and  the election of trustees shall be by ballot and shall be held as nearly as may be in the same manner as an election of members of a municipal council, and the secretary or secretary-treasurer of the board, or in the case of a first election, a person appointed by the inspector, shall be returning officer at such election and all the provisions of this Act applicable to the election of school trustees by ballot shall apply as nearly as may be to the election of school trustees under this section.

Incorporation.

- (5) Every board of school trustees of a township school area shall be a corporation by the name of "The board of school trustees of the township school area of" or by such other designation as the by-law may provide.



- (6)  Upon the election and organization of a board of public school trustees for a township school area the board of public school trustees for every school section then in existence in the township school area shall be dissolved and all the property, real and personal, vested in the board of

any such school section shall be vested in and become the property of the board for the township or school area. 

- (7) No by-law shall be passed under the provisions of subsection 1 until the same shall have been submitted to and approved in writing by the Minister. Approval of Minister.

- 15b. Subject to the approval of the Minister the board of public school trustees of a township school area may enter into an agreement with the board of education or board of public school trustees of a contiguous city or town for the purposes and in the manner provided by section 75. Agreement with urban board.

- 15c—(1) Where the board of public school trustees of a township school area has entered into an agreement under section 15b with the board of a contiguous city or town, the council of the township may exempt the portion of the township included in such township school area from the general rate required to be levied under section 96, but such exemption shall not be granted until the Minister has given his approval thereto in writing. Exemption from township rate.

- (2) Where an exemption is granted from the township rate under subsection 1, the township school area shall not share in the expenditure of any sum raised by any such general rate,  nor shall it be necessary for the township council fixing such rate to take into account schools in the township school area.  Where exemption granted township school area not to share in rate.

5. *The Public Schools Act, 1920* is amended by adding thereto the following section: 1920, c. 100, amended.

- 37a. In addition to any other remedy possessed by public school trustees in unorganized townships or in unsurveyed territory, for the recovery of rates imposed under the authority of this Act, the trustees, with the approval of the inspector in writing signed by him, may bring an action in any court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor. Collection of rates in unorganized townships by action.

6. Section 75 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor: 1920, c. 100, s. 75 repealed.

Agreements
between
urban
boards and
rural boards
as to school
accommoda-
tion.

75—(1) The board of education or board of public school trustees in an urban municipality may agree with the board of public school trustees of a school section or township school area adjacent to the boundaries of the urban municipality, for the erection, equipment and maintenance by either of the boards, of a school or schools in the school section or township school area or in the urban municipality for the joint accommodation of pupils from the school section or township school area and from the urban municipality or from any designated area therein contiguous to the section or township school area, or for the joint use of a school or schools in the school section or township school area or in the urban municipality by pupils from the school section or township school area or from the urban municipality or such designated area.

Terms of
Agreement.

(2) The agreement shall fix the accommodation to be provided, and where schools are to be erected, provide for the erection thereof and the class of buildings to be erected and shall also fix the proportion of the cost of providing such accommodation or of erecting and maintaining the school to be contributed by the urban municipality, the school section and the township school area respectively.

Raising
propor-
tion of cost.

(3) Each of the boards shall include in its annual estimates an amount sufficient to pay its proportion of such cost, and the same shall be levied, collected and paid over by the corporation of the urban municipality and the corporation of the township as part of the rate levied for public school purposes in the urban municipality or in the school section or township school area.

Agreement
to be
approved
by Minister,

(4) The agreement shall not be binding nor shall it be acted upon until it has received the approval in writing of the Minister.

Regulations.

(5) The Minister may make regulations in the manner provided by *The Department of Education Act* for the apportionment of the legislative and municipal grants in the case of schools to which this section applies and may fix the proportion which shall be paid on account of any such schools out of the legislative grants for rural and urban schools respectively, and the proportion of the municipal grant to rural schools which shall be paid on account of such school.



7. Section 99 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsections:—

1920, c. 100,
s. 99,
amended.

(2) Where upon the formation of a consolidated school section a public school section has been divided and each of the provisional sections so formed has become a part of a consolidated school section, the township grant for the public school section divided shall be apportioned between the consolidated school sections to the assessment of each of the provisional sections.

Distribution
of township
grant on
division of
sections
on forming
consolidated
school.

(3) Where one of the provisional sections becomes part of a consolidated school section and the remaining provisional section is continued as an independent section the whole of the township grant shall be paid to such independent section until it becomes part of a consolidated school section and thereupon the grant shall be distributed as provided in subsection 2.

When
grant to be
paid to
independent
section.

(4) Where a provisional section which has not been included in a consolidated school section ceases to remain an independent section and becomes a part of an adjoining school section by re-arrangement of boundaries or by the formation of a union school section, the township grant formerly paid to the school section of which the provisional section formed a part shall be paid to the consolidated school section, or if more than one consolidated school section has been formed the township grant shall be apportioned to each of such consolidated school sections as provided in subsection 2.

Where
remaining
provisional
section
merged.

8. Subsections 1 and 2 of section 5 of *The Continuation Schools Act* are repealed and the following substituted therefor:—

Rev. Stat.
c. 267, s. 5,
subss. 1, 2
repealed.

5.—(1) No fees shall be payable by resident pupils or by county pupils or by pupils who are admitted to a continuation school under the provisions of subsections 9 and 10 of section 7.

Fees of
continuation
school
pupils.

(2) Pupils other than those mentioned in subsection 1 shall pay such fees as may be prescribed by the board, but such fees shall not be greater than the average cost per pupil for education in the continuation school.



Rev. Stat.,
c. 267, s. 7
(1920, c. 99,
s. 4),
repealed.

9. Section 7 of *The Continuation Schools Act* as re-enacted by *The School Law Amendment Act, 1920*, is repealed and the following substituted therefor:

County
grant to
continua-
tion schools.

7.—(1) The council of every county shall on or before the 15th day of December in each year pay to the boards of all continuation schools in towns not separated from the county and in villages and townships in the county for the maintenance of continuation schools without any deduction on account of fees paid for county pupils, an amount equal to that apportioned by the Minister to such continuation schools out of the legislative grant for the maintenance of continuation schools.

When
further
grant to
be made.

(2) Where the cost of education of county pupils at a continuation school exceeds the amount apportioned by the Minister and the fees received, the county shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows:—

Mode of
ascertain-
ing amount
payable.

To eighty per cent. of the total amount expended in paying off debentures issued to pay for permanent improvements and for providing the interest payable upon such debentures shall be added the total cost of maintenance of the continuation school—the amount apportioned out of the legislative grant and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be payable by the county.

Reckoning
attendance
in case of
new school.

(3) Where a continuation school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.

Agreement
or reference
to county
judge.

(4) The board and the county council may by agreement settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the Judge on the application of either party.

- (5) No agreement or settlement so made shall affect the ^{Not to affect} apportionment of county aid authorized by ^{county aid.} section 8.
- (6) Where a continuation school has been in existence ^{Term of award.} for three years or more an award made by the Judge shall be binding for three years, and where it has not been in existence for three years, for one year only.
- (7) In case of a reference the board shall submit to the ^{Statements to be submitted} Judge a detailed statement of all receipts and expenditures for the continuation school for each of the preceding years or a less period under consideration which shall be certified by the auditors, and a statement certified by the chairman of the board of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of county pupils on whose account the demand for payment is made, and a statement certified by the chairman of the amount apportioned out of the legislative grant and of all fees received during each of such years or during such period, and shall also furnish to the Judge such further information as he may require.
- (8) For the purposes of this section the terms "county ^{Meaning of} pupils," "non-resident pupils," and "resident ^{"county pupils," etc.} pupils" shall have the same meaning as in *The High Schools Act*.
- (9) Where the board of a continuation school in a ^{Maintenance of} separated town has notified the county clerk that ^{county pupils at} the continuation school is opened to county ^{town school.} pupils on the same terms as continuation schools in municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year pay a sum equal to eighty per cent. of the cost of the education of such county pupils at such continuation school.
- (10) Where the board of a continuation school in a ^{Pupils from adjacent} town not separated from the county or in a vil- ^{county.} lage or township has notified the clerk of any county adjacent to that in which the continuation school is situated, that such school is open to

pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall on or before the 15th day of December in each year pay for the education of pupils from such county attending the continuation school, a sum equal to eighty per cent. of the cost of the education of pupils at such continuation school.

Mode of
ascertain-
ing amount
payable
by county.

- (11) The amount payable under subsections 9 and 10 shall be ascertained as follows:

The total expenditure on the continuation school shall be determined by taking the sum of the total expenditure for maintenance, the total expended in paying off debentures issued to pay for permanent improvements, and the total expended in paying the interest on such debentures:—From the total expenditure thus calculated the amount apportioned out of the legislative grant and any sum received from fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such continuation school during the year for which payment is to be made, the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom the county is liable, the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by the county.

Reference
to county
judge.

- (12) Where the parties do not agree as to the amount so payable the same shall be ascertained by the Judge on the application of either party.

Material
to be
submitted.

- (13) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 7 certified in a similar manner, and shall furnish such further information as he may require.

Costs of
reference.

- (14) The costs of a reference to the judge under this section shall be in his discretion and the amount thereof shall be fixed by him and he may direct to and by whom and in what manner the same shall be paid.

Rev. Stat.,
c. 268, s. 6,
amended.

10. Section 6 of *The High Schools Act* is amended by adding thereto the following subsection:—

- (4) The council of any county, with the approval of the Lieutenant Governor in Council, may by by-law discontinue the high school districts within the county and establish a high school district to be comprised of the whole of the county and such by-law shall take effect on the 1st day of January next following the expiration of six months after the passing of the by-law.

11. Sections 34 and 35 of *The High Schools Act* are repealed and the following substituted therefor:—

Authority to
establish a
high school
district,
comprising
whole
county.
Rev. Stat.,
c. 268,
ss. 34, 35,
repealed.

- 34.—(1) Where the cost of maintenance of county pupils at a high school exceeds the amount apportioned by the Minister and the fees received, the council shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows:—

County
grant.

To eighty per cent. of the total amount expended in paying off debentures issued to pay for permanent improvements and for providing the interest payable on such debentures, shall be added the total cost of maintenance of the high school,—the amount apportioned out of the legislative grant and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be the sum payable by the county.

How
calculated.

- (2) Where a high school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.
- (3) The board and the county council may, by agreement, settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party.

Reckoning
attendance
in case of
new school.

Agreement
or reference
to county
judge.

Agreement
not to
affect
county aid.

- (4) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 39.

Term of
award.

- (5) Where a high school has been in existence for three years or more an award made by the Judge shall be binding for three years, and where it has not been in existence for three years, for one year only.

Material
to be
submitted
on reference.

- (6) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for the high school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the chairman of the board of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of the county pupils on whose account the demand for payment is made, and a statement certified by the chairman of the amount apportioned out of the legislative grants during each of such years or during such period, and shall also furnish to the judge such further information as he may require.

Mainten-
ance of
county
pupils at
high
schools.

- 35.—(1) Where the board of a city or a separated town has notified the county clerk that the high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of education of county pupils at such high school.

Maintenance
of pupils
from adja-
cent county.

- (2) Where the board of a city, town, village or township has notified the clerk of any county adjacent to that in which the high school is situate that such high school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the education of pupils from such county attending such high school a sum equal to eighty per cent. of the cost of the education of pupils at such high school.

- (3) Where the board of a municipality contiguous to a city gives notice to the city clerk that such high school is open to city pupils on the same terms as it is open to the resident pupils of the municipality in which the high school is situated the council of the city shall, on or before the 15th day of December in each year, pay to the board eighty per cent. of the cost of the education of city pupils at the high school.

Contributions by city to cost of maintenance of pupils at school in adjoining municipality.

- (4) The amount payable under subsections 1, 2 and 3 shall be ascertained as follows:—

Mode of ascertaining amount payable by city.

The total expenditure on the high school shall be determined by taking the sum of the total expended for maintenance, the total expended in paying off debentures issued to pay for permanent improvements, and the total expended in paying interest on such debentures: From the total expenditure thus calculated the amount apportioned out of the legislative grant and any sums received for fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such high school during the year for which payment is to be made, the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom such county or municipality is liable, the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by such county or municipality.

- (5) Where the parties do not agree as to the amount so payable the same shall be ascertained by the judge on the application of either party.

Reference.

- (6) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 6 of section 34, certified in a similar manner, and shall furnish such further information as he may require.

Submission of material on reference.

12. Section 42 of *The High Schools Act* is repealed and the following substituted therefor:—

Rev. Stat., c. 268, s. 42, repealed.

When
schools
to be free.

42.—(1) No fees shall be payable by pupils attending a high school which they have a right to attend under the provisions of this Act.

When fees
may be
charged.

(2) Pupils other than the pupils referred to in subsection 1 attending a high school shall pay such fees as the board may prescribe, but such fees shall not be greater than the average cost per pupil for education in the high school.

Fees pay-
able to
treasurer.

(3) The fees payable under this section shall be payable to the treasurer of the board.

Rev. Stat.,
c. 268, s. 50,
amended.

13. *The High Schools Act* is amended by adding thereto the following section:—

Appoint-
ment of
advisory
officers.

50a. Subject to the approval of the Minister, a high school board or a board of education may appoint one or more officers qualified according to the regulations to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the board as will enable them to plan intelligently for their vocational and educational advancement and every person so appointed shall be subject to the control of the Board.

1917,
c. 58, s. 12,
amended.

14. Section 12 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following subsection:—

Regulations
as to
further or
additional
benefits.

(2) Whenever it appears as a result of the valuation made under subsection 1 that after granting the benefits provided for in clauses *a* and *b* in that subsection, further or additional benefits may be granted without impairing the solvency of the fund, the Lieutenant Governor in Council upon the recommendation of the commission may make regulations—

Reducing
number
of years.

(a) Reducing the number of years of employment necessary to entitle a teacher or inspector to the superannuation allowance provided for in section 11;

Increasing
amount.

(b) Increasing the amount payable to a teacher or inspector retiring under section 11;

- (c) Providing for the return of contributions ^{Providing for return of contributions.} made to the fund with interest upon a teacher or inspector dying before becoming entitled to a pension under this Act.

15. Section 14 of *The Teachers' and Inspectors' Super-annuation Act* is amended by adding thereto the following subsection:— ^{1917, c. 58, s. 14, amended.}

- (2) Notwithstanding anything in this Act contained, ^{Where payee insane, etc.} where any person to whom an allowance is payable under this Act, is insane or is otherwise physically or mentally incapable of managing his own affairs, or is an inmate of a hospital for the insane or of any institution, the commission appointed under section 13 may direct that any cheque for moneys payable to such person shall be made payable to his wife, or child, or to some other member of his family or household, and in that case the endorsement of the cheque by the person so designated by the commission shall be a sufficient discharge of the fund to the extent of such payment.

16. Subsection 1 of section 9 of *The School Attendance Act, 1919*, is repealed and the following substituted there- ^{1919, c. 77, s. 9, subs. 1, repealed.} for:

- (1) The board of education or public school board, high school board and separate school board in every urban municipality shall appoint a school attendance officer or two or more school attendance officers ^{Appointment of attendance officers.} for the enforcement of this Act.

17. Subsection 2 of section 9 of *The School Attendance Act, 1919*, is amended by inserting after the word "congregated" in the fifth line thereof the words "or at the request of the parent or guardian shall have authority to apprehend and deliver to the school from which he is absent or to his parent or guardian, without warrant, such child found illegally absent from school." ^{1919, c. 77, s. 9, sub. 2, amended. Apprehending and dealing with children absent from school.}

18. Section 10 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the following words ^{1919, c. 77, s. 10, amended.} "but a board of education or board of school trustees shall have authority to make a complete census of all children resident in the municipality or school section who are not of the age of twenty-one years." ^{Census of children by board.}

1919,
c. 77, s. 11,
amended. **19.** Section 11 of *The School Attendance Act, 1919*, is amended by inserting after the word "warn" in the fifth line thereof the words "the parent or guardian of," and by striking out the words "and their parents and guardians" in the sixth line.

1919,
c. 77, s. 14,
subs. 1,
amended. **20.** Subsection 1 of section 14 of *The School Attendance Act, 1919*, is amended by striking out all the words therein down to the word "year" in the third line and substituting therefor the words "the teacher or principal of every public, separate, high or technical school shall once in each month of the school year or oftener if required by the municipal or school corporation appointing a school attendance officer."

1919,
c. 77, s. 14,
subs. 4,
amended. **21.** Subsection 4 of section 14 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the words "and to the school attendance officer."

1919,
c. 77, s. 17,
amended. **22.** Section 17 of *The School Attendance Act, 1919*, is amended by adding after the words "Ontario Summary Convictions Act" the words "and shall be applied to such purposes as the Minister may direct."

1919,
c. 77, s. 16,
subs. 2,
amended. **23.** Subsection 2 of section 16 of *The Adolescent School Attendance Act, 1919*, is amended by adding at the end thereof the words "and shall be applied to such purposes as the Minister may direct."

Commence-
ment of
Act. **24.** This Act shall come into force on the 1st day of July, 1921.

No. 231.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the School Laws.

1st Reading, 15th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

(Reprinted with amendments for Committee of the whole House.)

Mr. GRANT.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Female Refuges Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Female Refuges Act*, Short title.
1921.

2. Subsection 1 of section 11 of *The Female Refuges Act*, 1919, c. 84, 1919, is amended by inserting after the word "disease" in ^{s. 11, subs 1, amended.} the third line thereof the following words, "or is in such a mental condition as to render it probable that she would be unable to care for and maintain herself properly," and ^{Detention of inmates where affected physically or mentally.} by inserting after the word "disease" in the seventh line the words "mental condition."

3. Section 13 of the said Act is amended by adding at ^{1919, c. 84, s. 13, amended.} the end thereof the words "or as in section 20 hereinafter provided." ^{No one to be admitted except on warrant.}

4. The said Act is amended by adding as section 20 the ^{1919, c. 84, amended.} following:—

20.—(1) Nothing in this Act shall prevent the super- ^{Admission of voluntary inmate.} intendent of any industrial refuge from receiving and admitting any former inmate or other woman over twenty-one years of age, who may present herself for admission, but not without the consent signed by such woman that she is willing to remain in such refuge for an indefinite period not exceeding two years.

(2) Nothing in this Act shall prevent the superintend- ^{Admission of inmate by parent or guardian.} ent of any industrial refuge from receiving and admitting any girl between the ages of fifteen and twenty-one years and whose father or mother or guardian or any of them requests her admis-

sion, but such parent or guardian shall make an affidavit as to the material facts and the reasons for such request and that he or she believes that it is necessary in the best interests of his or her daughter or ward that she should be so admitted for an indefinite period not exceeding two years.

Notifica-
tion by
superin-
tendent.

- (3) The superintendent shall, within twenty-four hours of any such admission, forward to the inspector a full statement of all matters in reference thereto and especially the reasons for such admission with the aforesaid written consent or affidavit, as the case may be.

Admission
confirmed
or discharge
ordered by
inspector.

- (4) Within the period of two weeks of such notification, the inspector shall visit such inmate and upon the recommendation of the board shall confirm such admission or order her discharge.

Commence-
ment of
Act.

- 5.** This Act shall come into force on the day on which it receives the Royal Assent.

No. 232.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Female Refuges Act.

1st Reading,	15th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. NIXON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Temperance Amendment Act, 1917.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. Subsection 6 of section 52 of *The Ontario Temperance* ^{1917, c. 50,}
Amendment Act, 1917, as re-enacted by section 21 of *The* ^{s. 52 (6),}
Ontario Temperance Amendment Act, 1919, and amended ^{amended.}
by section 19 of *The Ontario Temperance Amendment Act,*
1920, is repealed and the following substituted therefor:—

(6) This section shall have effect during the year 1921 ^{Duration}
and until the close of the Session of the Legisla- ^{of Mora-}
ture next following. ^{torium.}

No. 233.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An act to amend The Ontario Temper-
ance Amendment Act, 1917.

1st Reading, 15th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. THOMPSON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting The Extramural Employment of Persons under Sentence.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Extramural Employment of Sentenced Persons Act, 1921.* Short title.

2. The Lieutenant-Governor in Council may from time to time authorize, direct or sanction the employment of any work or duty without or beyond the limits of any gaol, industrial farm, reformatory or other place of safe custody under the jurisdiction or control of the Province of Ontario, of any persons confined or sentenced to be imprisoned therein, or transferred thereto under any Statute of the Dominion of Canada or of Ontario, but this shall not apply in the case of prisoners transferred by warrant of the Minister of Justice, pursuant to the provisions of Sections 53 and 56, Chap. 147, of the Revised Statutes of Canada. Authorization for extramural employment.

3. All such persons shall, during such employment, be subject to such rules, regulations and discipline as are approved by the Lieutenant-Governor in Council in that behalf. Such persons to be subject to rules and regulations.

4. The Lieutenant-Governor in Council may appoint an officer who shall have such custodial and other powers with respect to persons removed from any such gaol, industrial farm, reformatory or other place of safe custody for the purpose of employment elsewhere under this Act from the time of such removal and during the period of such employment and until the return of the persons so employed to the place of safe custody or their discharge by due process of law. Appointment and powers of officer.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 234.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Extramarital Employment of Persons under Sentence.

1st Reading, 15th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. NIXON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Administration of Justice in the District of Temiskaming.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Temiskaming Courts Act, 1921.* Short title.

2. Sittings of the district court of the Provisional Judicial District of Temiskaming for trials without a jury shall be held at the Town of Cochrane in the said district on the same dates as the dates upon which sittings are held for trials without a jury at the district town. Sittings of district court at Cochrane.

3. A judge of the said district court shall hold chambers at least once a month at the Town of Cochrane at which all matters which may be dealt with by a judge in chambers shall be heard and disposed of. Judge to hold chambers at Cochrane.

4. The judge while attending at the Town of Cochrane for the purpose of holding sittings of the district court as provided in section 2, or for holding chambers, shall also hold court for the purpose of hearing any trials or matters which may come before the judge of the county or district court sitting in the county judge's criminal court. County judge's criminal court.

5.—(1) The clerk of the Sixth Division Court of the Provisional Judicial District of Temiskaming shall be deputy clerk for the district and shall keep his office at the said Town of Cochrane. Deputy clerk for the district of Cochrane.

(2) The said deputy clerk shall issue writs for the commencement of actions in the district court and shall, in respect to actions so commenced and all proceedings therein, perform the like duties and have the like powers and rights as are performed and possessed by the clerk of the district Powers and duties of deputy clerk.

court in respect to actions commenced by writs issued out of his office and all proceedings therein, and the said deputy clerk shall issue such writs and process as may be required in such actions as may in like cases be issued by the clerk of the district court, and may renew any such writ as may by law be renewed.

Seal.

(3) The deputy clerk shall have the custody of a seal similar in design to the seal of the court in the custody of the clerk of the court, and the said deputy clerk shall seal with the said seal all writs, process and proceedings requiring the seal of the said court, and every writ, process or proceeding sealed with such seal shall be held to be duly sealed with the seal of the said court.

Deputy clerk to be local registrar.

(4) The deputy clerk at the Town of Cochrane shall be *ex officio* local registrar of the Supreme Court at Cochrane.

Non-jury sittings of High Court Division.

6. Sittings of the High Court Division for trials without a jury shall be held twice a year at the Town of Cochrane on such days as may be from time to time appointed therefor by the judges of the Supreme Court, but if the judges of the Supreme Court ascertain on any occasion that a sitting is not required for the due administration of justice it shall not be necessary to appoint a day for the holding thereof.

Deputy sheriff at Cochrane.

7. The Lieutenant-Governor in Council may appoint a deputy sheriff who shall reside at the Town of Cochrane and who shall be the deputy of the sheriffs of the Provisional Judicial Districts of Algoma, Thunder Bay and Temiskaming respectively, for the purpose of executing process in those parts of the said districts constituting the electoral district of Cochrane, and who shall have the same power and authority to seize and sell lands, goods and chattels and to execute process to the same extent and in the same manner as the sheriffs of the said districts respectively.

Regulations and appointment.

8. The Lieutenant-Governor in Council may make such regulations as may be deemed necessary for the better carrying out of the provisions of this Act, and may appoint a stenographer and such other clerks and officers as may be deemed necessary for the purpose of carrying into effect the provisions of this Act.

Appeal from summary convictions.

9. In cases to which *The Ontario Summary Convictions Act* applies, appeals from summary convictions may be heard by a judge of the district court of the District of Temiskaming while sitting in court, or in chambers, at the Town

of Cochrane under the foregoing provisions of this Act, whether imprisonment in the first instance has been imposed or otherwise, but in all other respects such appeals shall be heard and disposed of in the same manner as in the case of appeals to the judge of the district court at the district town.

10. This Act shall come into force on the 1st day of Commence-
ment of Act. September, 1921.

No. 235.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Administration of
Justice in the District of Temiskaming.

1st Reading,	15th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RANNEY.



TORONTO:
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Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Administration of Justice in the District of Temiskaming.



HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Temiskaming Courts Act, 1921.* Short title.

2. *Quarterly* sittings of the district court of the Provisional Judicial District of Temiskaming for trials without a jury shall be held at the Town of Cochrane in the said district on  dates to be fixed by the district judge.  Sittings of district court at Cochrane.

3. A judge of the said district court shall hold chambers at least once a month at the Town of Cochrane at which all matters which may be dealt with by a judge in chambers shall be heard and disposed of. Judge to hold chambers at Cochrane.

4. The judge while attending at the Town of Cochrane for the purpose of holding sittings of the district court as provided in section 2. or for holding chambers, shall also hold court for the purpose of hearing any trials or matters which may come before *such* judge sitting as the district court judge's criminal court. County judge's criminal court.

5.—(1) The clerk of the Sixth Division Court of the Provisional Judicial District of Temiskaming  or such other person as the Lieutenant-Governor in Council may appoint  shall be a deputy clerk of the district court of the district and shall keep his office at the said Town of Cochrane. Deputy clerk for the district of Cochrane.



(2) The said deputy clerk *may* issue writs for the commencement of actions in the district court and shall, in respect to actions so commenced and all proceedings therein, Powers and duties of deputy clerk.

perform the like duties and have the like powers and rights as are performed and possessed by the clerk of the district court.



Seal.

(3) The *said* deputy clerk shall have the custody of a seal similar in design to the seal of the court in the custody of the clerk of the court, and all writs, process and proceedings requiring the seal of the court, sealed with such seal shall be held to be duly sealed with the seal of the said court.



Deputy clerk to be local registrar.

(4) The *said* deputy clerk shall be *ex officio* local registrar of the Supreme Court  of Judicature for Ontario in and for the territory comprised in the Electoral District of Cochrane. 


Fees of Deputy Clerk.

 (5) The *said* deputy clerk shall be entitled to retain for his own use such fees and emoluments for the services performed by him as he would have been entitled to retain had he been acting as the clerk of such court. 

Non-jury sittings of High Court Division.

6. Sittings of the High Court Division for trials without a jury shall be held twice a year at the Town of Cochrane on such days as may be from time to time appointed therefor by the judges of the Supreme Court,  and subsection 5 of section 44 of *The Judicature Act* is amended accordingly. 


Deputy sheriff at Cochrane.

 7. The sheriff of the Provisional Judicial District of Temiskaming shall appoint a deputy sheriff who shall reside at the Town of Cochrane and who shall perform the duties of such sheriff in those parts of the said district contained in the Electoral District of Cochrane, subject, however, to the direction and supervision of the said sheriff.

Deputy sheriff to act in portions of Districts of Algoma and Thunder Bay.

8. When the sheriffs of the Provisional Judicial Districts of Algoma and Thunder Bay have duties to be performed in those parts of their bailiwicks contained in the Electoral District of Cochrane such duties shall be performed by the said deputy sheriff at Cochrane who, while performing such duties, shall act as a deputy to the sheriff whose duty he is performing and be subject to his direction and supervision.

Fees of deputy sheriff.

9. Such deputy sheriff for his services shall be entitled to retain seventy-five per cent. of the ordinary tariff fees for the duties he performs. 

Regulations and appointment.

10. The Lieutenant-Governor in Council may make such regulations as may be deemed necessary for the better carry-

ing out of the provisions of this Act, and may appoint a stenographer and such other clerks and officers as may be deemed necessary for the purpose of carrying into effect the provisions of this Act.

11. Appeals from summary convictions may be ^{Appeals from summary convictions.} heard by a judge of the district court of the District of Temiskaming while sitting in court, or in chambers, at the Town of Cochrane under the foregoing provisions of this Act.

10. This Act shall come into force on the 1st day of ^{Commence-} September, 1921. ^{ment of Act.}

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Administration of
Justice in the District of Temiskaming.

1st Reading, 15th April, 1921.
2nd Reading, 25th April, 1921.
3rd Reading, 1921.

*(Reprinted for Committee of the Whole
House.)*

Mr. RANNEY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Ontario Athletic Commission.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Athletic Commission Act*, 1921. Short title.

2. Section 7 of *The Athletic Commission Act* is amended 1920, c. 30, s. 7, amended. by adding thereto the following subsection:—

- (2) In the absence of the chairman or in case of a Vice-chairman. vacancy in the office the members of the commission may elect from amongst themselves an acting chairman, who shall hold office during such absence or vacancy, and while holding office shall have and possess the like powers and shall perform the like duties as the chairman.

3. Sections 4, 11, 12 and 13 of *The Athletic Commission Act* are amended by striking out the word “professional” 1920, c. 30, ss. 4, 11, 12, and 13 amended. Control of amateur boxing and wrestling contests. where it occurs before the word “boxing” in each of the said sections respectively.

4. Section 10 of *The Athletic Commission Act* is amended 1920, c. 30, s. 10, amended. by adding thereto the following subsections:—

- (3) The commission may in its discretion direct that Tax on amateur boxing and wrestling exhibitions. any person, corporation or association conducting an amateur boxing or wrestling contest or exhibition shall pay to the commission an amount not exceeding five per cent. of the gross gate receipts taken by such person, corporation or association in respect of such boxing or wrestling contest or exhibition.

- (4) The payments to be made to the commission under this section shall be a first charge upon the gate receipts taken by any person, corporation or Payment to commission to be first charge on gate receipts.

association in respect of a boxing or wrestling contest or exhibition and shall be payable in preference to any other claim or demand against such person, corporation or association.

1920, c. 30,
s. 11,
amended.
Licenses.

5. Section 11 of *The Athletic Commission Act* is amended by adding after the word "person" at the end of the first line the words "corporation or association."

1920, c. 30,
amended.

6. *The Athletic Commission Act* is amended by adding thereto the following section:—

Investiga-
tion
of charges.

13a.—(1) Where it is charged that a boxing or wrestling contest or exhibition conducted under a license as hereinbefore provided or any agreement, contract or undertaking entered into with respect to such boxing or wrestling contest or exhibition is in violation of the rules, regulations and conditions from time to time prescribed by the commission, or that any person a party to or participating in such boxing or wrestling contest or exhibition has been guilty of any such violation or of any unsportsmanlike or unbecoming conduct to the prejudice of the interest of legitimate boxing or wrestling, the commission may hold an investigation into such charges and for the purposes of such investigation shall possess all the powers which may be conferred upon a commission appointed under *The Public Inquiries Act*.

Impounding
and for-
feiture of
moneys by
commission.

(2) The commission may order that pending the disposition of the charges so made any moneys which under the terms of any contract or agreement may be payable to any employee of the person, club or association holding such boxing or wrestling contest or exhibition or to any boxer or wrestler shall be delivered to the commission and shall be impounded pending the result of the investigation, and if such charges are held by the commission to have been proven, the commission may declare the moneys impounded to be forfeited and such money shall thereupon become the property of the commission and shall be applied for the promotion of amateur athletics.

Commence-
ment of
Act.

7. This Act shall come into force on the 1st day of June, 1921.

No. 236.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting The Ontario Athletic
Commission.

1st Reading,	19th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Factory, Shop and Office Building Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Factory, Shop and Office Building Amendment Act, 1921.* Short title.

2. Section 18 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following subsection:— Rev. Stat., c. 229, s. 18, amended.

(6) It shall be the duty of every inspector appointed under this Act to report any violation of section 21 of *The Minimum Wage Act* to the Minimum Wage Board. Inspectors' duties as to enforcement of "Minimum Wage Act." 1920, c. 87.

3.—(1) Notwithstanding anything contained in *The Factory, Shop and Office Building Act*, no person under the age of fourteen years shall be employed in any shop as defined in the said Act. Person under 14 not to be employed in shop.

(2) Where any person under fourteen years of age is employed in a shop, such person shall be deemed to have been so employed in contravention of Part I of *The Factory, Shop and Office Building Act*, and every person guilty of violation of subsection 1 of this section shall incur the penalties provided in subsection 1 of section 72 of *The Factory, Shop and Office Building Act* for keeping a shop so that the safety of persons employed therein is endangered, or so that the health of the persons employed therein is likely to be injured. Penalty for violation. Rev. Stat., c. 229, s. 72.

4. Section 30 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following subsection:— Rev. Stat., c. 229, s. 30, amended.

Seats to
be provided
for female
employees
in factories
and offices.

- (1a) Where in the opinion of the inspector the whole or a substantial portion of the work upon which female employees are engaged in any department of a factory or office in which women or young girls are employed can be efficiently performed while such female employees are seated, the employer shall provide such chairs or seats as may be directed in writing by the chief inspector.

Application.
1919, c. 78.

5. Nothing in *The Factory, Shop and Office Building Act* contained shall be deemed to authorize or excuse the employment of any child, youth, young girl or woman in contravention of the provisions of *The Adolescent School Attendance Act, 1919*.

No. 237.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Factory, Shop and
Office Building Act.

1st Reading, 19th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. ROLLO.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Maintenance of Deserted Wives and Children.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Deserted Wives' and Children's Maintenance Act, 1921.* Short title.

2.—(1) A husband who has deserted his wife may be summoned by her before a police magistrate or two justices of the peace, who, upon proof of service of the summons and whether or not the husband appears, if satisfied that the husband, being able wholly or in part to maintain his wife or his wife and family, has wilfully refused so to do, and has deserted his wife, may order that the husband shall pay to his wife such weekly sum, not exceeding \$20, with or without costs, as the magistrate or justices may consider proper, having regard to his means and to any means the wife may have, for her support and the support of the family.

When order for maintenance of wife may be made.

(2) A married woman shall be deemed to have been deserted within the meaning of this section when she is living apart from her husband because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other necessities when able so to do.

Extension of remedy to certain cases.

3.—(1) A father who has deserted his child may be summoned before a police magistrate or two justices of the peace who, upon proof of the service of the summons, and whether or not the father appears, if satisfied that such father has wilfully refused or neglected to maintain the child and has deserted the child, may order that the father shall pay to such person as may by order be directed for the support of such child, such weekly sum, not exceeding \$20, with

When order for maintenance of child may be made.

or without costs, as the magistrate or justices may consider proper, having regard to the means of the father and to any means the child may have for his support.

When child
deemed to
have been
deserted.

(2) A child shall be deemed to have been deserted by his father, within the meaning of this section, when the child is under the age of sixteen years and when the father has refused or neglected to supply such child with food or other necessities when able so to do.

Who may
lay
complaint.

4. A complaint under this Act may be laid by a deserted wife or child or by a person having the care and custody of a deserted child or with the consent of the Crown Attorney by any other person.

Proceedings
in case of
non-
payment.

5.—(1) In case of non-payment of any sum so ordered together with costs, for twenty-one days after the order has been made, or such less time as the order provides, and when and so often as the payment so ordered is in arrear, a summons may be procured from the magistrate or justices making the order returnable on the tenth day after the service thereof.

Service of
summons.

(2) The summons may be served on the husband or father either personally or in such other manner as the magistrate or justices may in writing direct, and shall require the husband or father to attend at the time and place mentioned therein to show cause why the order should not be enforced as hereinafter provided.

Witnesses.

(3) The applicant and all witnesses whom the magistrate or justices think proper may be examined on oath touching the inquiries to be made on the return of the summons.

Enforce-
ment of
order.

(4) If the husband or father does not attend as required by the summons, or show a sufficient reason for not attending, or does not satisfy the magistrate or justices that he is unable to pay the sum ordered to be paid, the magistrate or justices may enforce the order by the like proceedings, including imprisonment, as, under *The Ontario Summary Convictions Act*, are applicable in the case of a fine or penalty imposed by a justice of the peace.

Power to
vary order.

6. The magistrate or justices before whom the order for payment was made, or any other magistrate or justices sitting in his or their stead at his or their request, shall have power from time to time to vary the order on the application of any of the parties named in the order upon

proof that the means of any of such parties have been altered in amount since the making of the original order, or any subsequent order varying it.

7.—(1) No order shall be made in favour of a wife who is proved to have committed adultery, unless the adultery has been condoned, and any order may be rescinded by the magistrate or justices by whom it was made, or by a magistrate or justices sitting in his or their stead at his or their request, upon proof that the wife, since the making thereof, has been guilty of adultery if it has not been condoned. Cases of adultery.

(2) A finding by the magistrate or justices that adultery has been proved shall not be evidence of the adultery except for the purpose of proceedings under this Act. Effect of finding adultery.

8. Cases arising under this Act may, in the discretion of the magistrate or justices, be heard in private. Hearing of complaint.

9. A summons under this Act shall be applied for, granted and served in the same manner as a summons in a case of assault, or in such other manner as the magistrate or justices direct, and the magistrate or justices, or other magistrate or justices sitting in his or their stead at his or their request, may at any time rehear the application at the instance of the husband after notice to the wife and child and may confirm, rescind or vary any order made thereon as he or they may deem just. Application for and service of summons.

10. Where any matter is to be heard by two justices the summons may be signed by one of them. Signing summons.

11. Orders and summonses may be according to the form in the schedule to this Act. Forms.

12. The costs of proceedings under this Act shall be the same as are provided for by *The Ontario Summary Convictions Act*, and the provisions of that Act, as to appeals, and the proceedings therein and incidental thereto, shall apply to any order made under the provisions of this Act except that where the husband or father is the appellant he shall pay all costs. Provision as to costs and appeal.

13. Chapter 152 of the Revised Statutes of Ontario 1914, is repealed. Rev. Stat., c. 152, repealed.

14. This Act shall come into force on the day on which it receives the Royal Assent. Commencement of Act.

SCHEDULE.

SUMMONS.

County (or District)
of

To A.B., of

Whereas application has this day been made by your wife (or child), C.B., to the undersigned police magistrate (or justice of the peace, as the case may be) for a summons under *The Deserted Wives' and Children's Maintenance Act*, for that you have wilfully refused or neglected to maintain your said wife (or your wife and family, as the case may be) or your child, and have deserted your said wife or child. These are, therefore, to command you to appear before the undersigned or such police magistrate or justices as may then and there be present in my (or our) stead, at _____ on _____ the day after the service hereof, at the hour of _____ in the _____ noon, to show cause why an order should not be made against you, to pay to your said wife for her support (or for the support of her and your family, as the case may be, or to your child for his support), such weekly sum not exceeding \$20 as may be considered to be in accordance with your means and with the means of your said wife (or child).

Given under _____ hand and seal _____ day of _____ 19 .
J. S. _____ (L.S.)

ORDER.

County (or District)
of

Upon reading the summons dated the _____ day of _____ 19 , issued by _____, police magistrate for the _____ (or justices of the peace for _____), upon the application of C.B., wife or child of A.B., under the provisions of *The Deserted Wives' and Children's Maintenance Act*, and upon hearing all the parties (or, as the case may be), and the evidence adduced, and it appearing that the said C.B. is entitled to the benefit of the said Act; I (or we), the undersigned, do hereby order that the said A.B. do pay hereafter to his said wife, or her agent (or his child or his child's agent), authorized in writing, at _____, the sum of \$ _____ per week for her support (or for the support of her and the family of the said A.B. or for support of the child), the first weekly payment to be made on the _____ day of _____ 19 , together with the costs of these proceedings, which amount to \$ _____, which shall be paid on or before the _____ day of _____, 19 .

Given under _____ hand and seal _____ day of _____ 19 .
J. S. _____ (L.S.)

No. 238.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Maintenance of
Deserted Wives and Children.

1st Reading,	20th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. McNAMARA.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 239.

1921.

BILL

An Act to extend the Franchise to Women in
Municipal Elections.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. Subsection 3 of section 24 of *The Municipal Act*, as Rev. Stat.,
amended by clause *a* of section 2 of *The Women's Municipal* c. 192, s. 24,
(3) (7 Geo. V.
Franchise Act, being 7 Geo. V, chapter 43, is further am- c. 43, s. 2,
amended).
ended by inserting after the word "householder" in the
section as so amended the words "or his wife."

No. 239.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to extend the Franchise to Women
in Municipal Elections.

1st Reading.	20th April, 1921.
2nd Reading.	1921.
3rd Reading.	1921.

Mr. MacBRIDE.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Timber Slide Companies Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Timber Slide Companies Amendment Act, 1921.* Short title.

2. Section 50 of *The Timber Slide Companies Act* is amended by adding thereto the following subsection:— Rev. Stat., c. 181, s. 50, amended.

(1a) Where the term of existence of any company incorporated for a limited period has expired but the company has continued to carry on business and it appears to the Lieutenant-Governor in Council that the company has acted in good faith, the Lieutenant-Governor in Council, notwithstanding the expiry of such period, may by supplementary letters patent, extend the term of existence of the company as from the date of the expiry, and thereupon the company shall be deemed to have continued in existence from such date and the dams, slides, piers, booms and other works constructed by the company for the transmission of timber down any river or stream, or for the improvement of navigation on such river or stream, shall not be deemed to have become the property of His Majesty, but to have remained vested in the company for the period named in such supplementary letters patent, and section 17 shall not be deemed to have applied to the company. Extension of charter after expiry of term of company's existence.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 240.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Timber Slide
Companies Act.

1st Reading, 20th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. McCrea.

BILL

An Act respecting the Examining and Licensing
of Electrical Contractors and Journeymen
Electricians.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. This Act may be cited as *The Electricians' Licensing Act, 1921.* Short title.

2. In this Act, unless the context otherwise requires— Interpre-
tation.

(a) "Minister" shall mean the Minister of Public Works; "Minister."

(b) "Board" shall mean the board of examiners ap- "Board."
pointed as hereinafter provided;

(c) "Department" shall mean the Department of Pub- "Depart-
ment."
lic Works;

(d) "Contractor" shall mean and include any person, "Contractor."
firm or corporation having a regular place of
business, who or which, by the employment of
journeymen, performs the work of installing
wires, conduits, apparatus, fixtures, and other
appliances for the carrying or using of electricity
for light, heat or power purposes, within the
meaning of this Act;

(e) "Journeymen" shall mean a person who does any "Journey-
men."
work in installing, repairing, or making altera-
tions to wires, conduits, apparatus, fixtures or
other appliances for the carrying or using of
electricity for light, heat, or power purposes
within the meaning of this Act, for hire;

"License."

(f) "License" shall mean the certificate of qualification issued to a contractor or journeyman under the provisions of this Act;

"Inspector."

(g) "Inspector" shall mean a person appointed under the provisions of this Act, as hereinafter provided.

Application
of Act.

3.—(1) The provisions of this Act shall apply to all contractors, journeymen and inspectors engaged within the province in the business of placing, installing, maintaining, repairing, replacing, or inspecting in or on any class of structure, any conduits of any description, designed for the purpose of enclosing or carrying any electrical conductor, upon which is impressed an E.M.F. equal to or higher than the voltage prescribed in the wiring regulations issued by the Ontario Hydro-Electric Power Commission, between any two conductors and ground independent of the characteristics of the current; of placing, installing, maintaining, repairing, replacing or inspecting in or on such structures, of any conductor switch, attachment, fitting, or any element whatsoever of an equipment designed for the purpose of supplying such electrical service, or for any purpose in connection with such an electrical service.

Not to
apply to
work on
power
houses, etc.

(2) The provisions of this Act shall not apply to such work within power houses, sub-stations or other places wherein the business of generating or distributing electrical power is carried on by public service corporations or by municipal departments, and where such work is installed by employees under the direction of officers of such public corporations or municipal departments, except in structures wherein the public, other than employees of such public service corporation or municipal department, have free access on business.

Apprentice
or helper.

(3) No apprentice or helper or other person shall perform any electrical work or install any electrical material or appliances within the meaning of this Act, except as an assistant to, in the presence of, and under the direct personal supervision of a journeyman continuously employed on the same contract or job and licensed under this Act, and only one apprentice or helper shall be allowed to each journeyman as assistant on any job.

Act not
to apply to
certain
municipal
works.

(4) The provisions of this Act shall not apply to such work on street railway cars or locomotives, or on railway cars or locomotives which are the property of municipal departments or of public service corporations, and where

such work is installed by employees under the direction of officers of such municipal departments or public service corporations.

(5) Nothing in this section shall be taken to apply to the insertion of incandescent lamps in sockets or receptacles, or the replacement of such lamps, the carboning, trimming, or operation of arc lamps, the lawful connection of utilization equipment to supply by means of attachment plugs or the use or operation of the same, or the lawful replacement of fuses controlling circuits or equipment. Not to apply to incandescent lamps, etc.

4. All electrical contractors and journeymen carrying on their work in the Province of Ontario shall be subject to examination before the board of examiners, appointed under the provisions of this Act, and upon the fitness of such contractors and journeymen being established before such board of examiners, licenses, as provided for under this Act shall be issued to such contractors and journeymen. Examination required.

5. The Lieutenant Governor in Council, upon the recommendation of the Minister, may appoint a board of examiners, consisting of three members, who shall be qualified in practical electrical work, one of whom shall be an electrical contractor, and one who shall be a practical journeyman electrician, and who are conversant in a practical degree with the qualifications necessary to be held by a person described as an electrical contractor or an electrical journeyman, who shall hold office during pleasure and who, subject to the regulations mentioned in the next following section, and to the approval of the Lieutenant Governor in Council, shall prescribe the subjects in which candidates for a contractor's or journeyman's license shall be examined, and conduct and provide for and supervise the examinations of candidates and report thereon to the department. Appointment of board of examiners.

6. The board of examiners shall make regulations for— Regulations.

- (a) The examination of candidates for contractor's and journeyman's licenses, the granting of licenses, and the evidence to be furnished by candidates for contractor's or journeyman's licenses as to previous experience;
- (b) Determining time and duration of licenses, and their renewals;
- (c) Prescribing causes for which a license may be revoked, cancelled or suspended;

- (d) Defining the duties of inspectors and making rules governing their operations.

Licenses to
be issued.

7. Four license forms shall be issued, designated as follows:—

License A, which may be issued to any person who has satisfactorily passed the examination prescribed for journeymen electricians, and has filed an application to be registered as a contractor in the examiners' office and paid the fee prescribed by this section;

License B, which may be granted to any company, association, corporation, or firm doing or wishing to do business as contractor for electrical installation, provided one of the members of the said association, company, corporation, or firm, or at least one person in its employ, holds a certificate of journeyman electrician given by the examiners, and that the fee for the license has been paid;

License C, which may be given to a journeyman electrician having at least four years' experience, and who, after passing his examination successfully and complying in every respect with the prescription contained in the forms prepared by the examiners, has paid the fee prescribed by this section;

License D, which is the special license authorizing a person with a knowledge of electricity and employed in a factory, warehouse, or public building, subject to exceptions specified in subsections 2 and 4 of section 3 of this Act, to do work in connection with the repair and maintenance of electrical installations in the said public buildings, and the person applying for such license must pass an examination before the board of examiners.

Board to
examine
applicants.

8.—(1) The board of examiners shall within thirty days after its appointment meet and organize, by the selection of a chairman and secretary, and they shall designate the time and place for the examination of all applicants for license, and the board shall examine the applicants as to their practical and theoretical knowledge of electric wiring and also as to their knowledge of the regulations of the

Ontario Hydro-Electric Power Commission, governing such work, and such examination shall be made in whole or in part in writing.

(2) If satisfied as to the competency of the applicant, the board shall thereupon issue to such applicant a license in accordance with section 7 of this Act, authorizing him to follow, engage in or work at the trade or occupation of electric wiring in the Province of Ontario as specified under that section, and the examination fee shall be \$5 for contractors and journeymen electricians and shall be applied in reimbursing the examining board for its services, and the license fee, which shall be \$25 for contractors and \$2 for journeymen electricians, shall be renewed annually upon payment of \$5 by a contractor and \$2 by a journeyman electrician.

Board may
issue
license.

Examina-
tion and
license fees.

9. It shall be the duty of the secretary of the board to preserve and keep all records, papers and books which are required by this Act or by the board, and to do or perform such other work as may be required by the board.

Duties of
secretary.

10. Any electrician failing in the examination before the examining board shall have the right to appear before such board thereafter to take the additional examination at the next regular sitting of the board, or any succeeding sitting.

Failing in
examination.

11. Every contractor before obtaining a license shall file a bond with the board of examiners in the penal sum of two hundred dollars, conditioned for the faithful performance of his duty as licensed contractor, and for his not permitting any wiring work that he is called upon to do, to be performed by any person in his employ, except by such persons as are authorized to do wiring work under this Act, and for his not violating any of the terms and conditions thereof, or any amendment from time to time made thereto.

Bond.

12. The license herein provided for of any contractor or journeyman electrician may at any time be revoked for incompetency, dereliction of duty or fraudulent use thereof, after a full and fair hearing by a majority of the examining board.

Revocation
of license.

13. Any person or corporation, who or which, after the first day of July, 1921, carries on such business of electrical contracting without authority of a valid and subsisting license therefor issued under this Act, shall be guilty of an offence punishable, on summary conviction before a justice

Penalty
for carry-
ing on
business
without
license.

of the peace, by a fine of not less than fifty dollars nor more than two hundred dollars, and, in default of immediate payment, by not more than three months' imprisonment.

Penalty
for engag-
ing in work
without
license.

14. Any person who, after the first day of July, 1921, engages in the work of an electrical journeyman in the Province of Ontario without authority of a valid and subsisting license therefor, shall be guilty of an offence punishable, on summary conviction before a justice of the peace, by a fine of not less than \$5 nor more than \$50, and in default of immediate payment, by not more than two months' imprisonment.

Special
license.

15. In the case of industries where workmen are engaged in repair or maintenance of electrical equipment, solely in or upon the premises upon which such industries are carried on, any such workman shall be granted a special license according to License D, as provided by section 7 of this Act, to do such work in or upon such premises upon demonstrating to the satisfaction of the board of examiners that he possesses sufficient qualification for the work intended to be performed in such premises, and no such special license shall entitle the holder to perform any electrical work outside the premises described in the license, nor shall license be transferable.

Penalty
where no
journey-
man's
license.

16. Each member of any firm and the managing director or other responsible officer of any corporation carrying on the business of an electrical contractor in the Province of Ontario, who or which, after the first day of July, 1921, has not, as a member of the firm or officer of the corporation or in its employ at least one person in possession of a valid and subsisting journeyman's license, shall be guilty of an offence punishable, on summary conviction before a justice of the peace, by a fine of not less than \$50, nor more than \$200, and in default of immediate payment, by not more than three months' imprisonment.

Appoint-
ment of
inspectors.

17. The Ontario Hydro-Electric Power Commission may appoint inspectors, one of whom may be chief inspector, and such other officer or officers as may be deemed advisable for inspection of electrical wiring in the Province of Ontario. and such inspectors shall be persons who hold a license under this Act and who, in the opinion of the commission, have had the necessary practical experience to qualify them for the positions.

Evidence
of license.

18. If, on demand from any duly appointed inspector of the department, any person performing the work of an

electrical contractor, or an electrical journeyman, does not produce satisfactory evidence of his being in possession of a valid and subsisting license therefor, he shall be guilty of an offence punishable, on summary conviction before a justice of the peace, by a fine of not less than \$50 and not more than \$200, and in default of immediate payment, by not more than three months' imprisonment.

19. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence
ment of
Act.

No. 241.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting the Examining and
Licensing of Electrical Contractors and
Journey-men Electricians.

1st Reading,	21st April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SWAYZE.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to provide Compensation for Damage caused by Sulphur Fumes.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Damage by Fumes* Short title.
Arbitration Act, 1921.

2. The Lieutenant-Governor in Council may from time Appoint-
to time appoint an arbitrator for the purposes of this Act, ment of
and may limit his jurisdiction either territorily or as to arbitrator.
subject matter and may extend such limited jurisdiction or
diminish it from time to time.

3. Where damage is occasioned to crops by sulphur fumes Where
directly or indirectly such damage may be determined by crops
the arbitrator so appointed, who shall have exclusive juris- damaged
diction to determine the amount of such damage and to by sulphur
make an award. fumes.

4. Notice of the damage shall be given by the person Notice of
aggrieved to the person offending within seven days of such damage.
damage occurring and unless satisfactory compensation has
been received within four months the person aggrieved shall
have the right of appeal to the arbitrator, who shall there-
upon assess the damage and make an award in writing.

5. The award of the arbitrator shall be binding upon the Effect of
parties and not subject to appeal or to be questioned or award
reviewed, restrained or removed by prohibition, injunction, fixed by
certiorari or other process or proceeding in any court, and arbitrator.
on being filed in the office of the clerk of the county or dis-
trict court such award shall, for the purpose of issuing
execution thereon, have the same force and effect as a judg-
ment of the said court.

Costs. **6.** The costs of the arbitration, which may include his own fees, shall be in the discretion of the arbitrator.

Regulations. **7.** The Lieutenant-Governor in Council shall have power from time to time to make regulations fixing the arbitrator's fees and generally for the better carrying out of this Act.

Commencement of Act. **8.** This Act shall come into force on the day on which it receives the Royal Assent.

No. 242.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to provide Compensation for Damage caused by Sulphur Fumes.

1st Reading,	21st April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. DOHERTY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Optometry Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 3 of *The Optometry Act, 1919*, is amended by 1919, c. 39,
adding thereto the following subsections:— s. 3,
amended.

(6) The secretary of the board shall, on the 31st day Annual
report. of December in each and every year, submit a written report including an itemized financial statement of the transactions of the board for the year, to the Lieutenant-Governor in Council, who shall cause the same to be printed for distribution, charging therefor such fee as the Lieutenant-Governor in Council may deem necessary.

(7) No teacher in any school of optometry and no Teachers
and offi-
cials not
eligible to
board. official of any optometrical association shall be eligible to membership on the board of examiners.

2. Section 5 of *The Optometry Act, 1919*, is amended 1919, c. 39,
by adding thereto the following subsection:— s. 5,
amended.

(2) A list of the names and addresses of every person List of
names, etc.,
to be
printed
annually. so registered as an optometrist or optician in Ontario, as on the 31st day of December, 1920, and thereafter on each and every 31st day of December in each and every year shall be submitted in writing to the Lieutenant-Governor in Council, who shall cause the same to be printed.

3.—(1) The annual fee for the renewal of certificates of exemption or registration shall be the sum of \$2, payable on or before the 15th day of January, 1921, and thereafter on each and every 15th day of January in each and every year.

(2) Any regulation heretofore made by Order-in-Council regarding the annual fee for the renewal of certificates of exemption or registration is hereby cancelled.

4.—(1) The members of the board shall receive for their services the sum of \$15 for each full day while engaged in attending the meetings of the board, and shall receive their railway fares to and from such meetings, but such meetings shall not consist of more than two sessions of ten days each in any one year.

(2) Any regulation heretofore made by Order-in-Council regarding any of the matters coming within subsection 1 of this section is hereby cancelled.

No. 243.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Optometry Act.

1st Reading,	22nd April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. RAMSDEN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Dog Tax and Sheep Protection Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Dog Tax and Sheep Protection Act* is amended by ^{8 Geo. V., c. 46,} adding the following as section 5a:— ^{amended.}

5a. Where after the assessment roll has been returned or finally revised and before the collector's roll has been delivered to the collector, any owner of a dog applies to the clerk for the issue to him of a tag as required by section 9a, and the clerk finds that the owner has not been assessed on the assessment roll as provided by section 4, he shall require the owner to make the statement provided for by section 5 (subject to the penalty imposed by that section), and on such statement being made the clerk shall make the necessary entries on the assessment roll and also on the collector's roll.

Application for tag after assessment roll has been returned; statement by owner; penalty.

No. 244.

2nd Session, 15th Legislature,
* 11 George V, 1921.

BILL.

An Act to amend The Dog Tax and Sheep
Protection Act.

1st Reading, 22nd April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. HENRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Vocational Education.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Vocational Education Act, 1921*. Short title.

2. In this Act,

Interpre-
tation.

(a) "Board" shall mean and include a board of education, a board of high school trustees, and a continuation school board; "Board."

(b) "Minister" shall mean Minister of Education; "Minister"

(c) "Regulations" shall mean regulations made under the authority of *The Department of Education Act* or of this Act. "Regulations."
Rev. Stat.,
c. 265.

3. This Act shall apply to all art, industrial and technical schools and courses, heretofore established under Acts of this Legislature respecting high schools and technical schools and in operation at the time of the passing of *The Industrial Education Act*; to the industrial and art schools and courses and to the technical, the agricultural, and the commercial high schools and high school courses heretofore established under *The Industrial Education Act* and under the regulations; and to the vocational schools and departments hereafter established under this Act. Application
of Act.

4. With the approval of the Minister, a high school board, a board of education, or a continuation school board of any municipality or school section may provide for duly admitted pupils in the following classes of vocational schools: Classes of
schools
which
may be
established.

- (1) Industrial schools and departments;
- (2) Home-making schools and departments;
- (3) Art schools and departments;
- (4) Technical high schools and departments;
- (5) Agricultural high schools and departments;
- (6) Commercial high schools and departments.

Vocational
schools.

5. Subject to the regulations or with the approval of the Minister, courses of instruction in the vocational schools provided for in this Act may include—

- (1) General full-time day school courses of instruction;
- (2) Special full-time day school courses of instruction;
- (3) Part-time day school courses of instruction;
- (4) Evening school courses of instruction.

Admission
of pupils to
vocational
schools.

6.—(1) Pupils who may be duly admitted under the regulations to a day high school may be admitted to any of the vocational schools or departments provided for in this Act.

Certificate,
when
required.

(2) For admission to a general full-time day course of instruction in a commercial or a technical high school or department, applicants shall hold certificates qualifying them for admission to a day high school.

Report of
principal.

(3) Subject to the regulations and on the report of the principal approved by the advisory committee concerned, pupils of at least the standing of the fourth form of the public and separate schools may be admitted to—

- (a) A general, a special, or a part-time course of instruction in an industrial, a home-making, or an art school or department;
- (b) A general, a special, or a part-time course of instruction in an agricultural high school or department;

- (c) A special or a part-time course of instruction in a commercial or a technical high school or department.

(4) Workmen or workwomen employed during the day may be admitted to a vocational evening school or course subject to the regulations and on the report of the principal, approved by the advisory industrial committee concerned, that they are competent to receive instruction therein.

7. Where, in accordance with the regulations, one or more schools or departments to which this Act applies have been, or may hereafter be established by a board, the said schools or departments shall be under the management and control of advisory committees appointed by the board to be known and to have jurisdiction as follows:—

- (1) A committee to be known as the advisory industrial committee to have management and control of all industrial schools and departments, home-making schools and departments, art schools and departments, and technical schools and departments;
- (2) A committee to be known as the advisory agricultural committee to have management and control of all agricultural high schools and departments;
- (3) A committee to be known as the advisory commercial committee to have management and control of all commercial high schools and departments;
- (4) Where two or more of the vocational departments mentioned in section 4 of this Act are conducted in the same school and placed under the charge of the same principal, the board may, in lieu of the appointment of a separate advisory committee for each department, appoint one advisory committee to be known as the advisory vocational committee to have management and control of all the vocational courses conducted in the school.

8.—(1) The advisory industrial committee shall be composed of eight or twelve persons as the board may direct, the members of which shall be appointed by the board as follows:—

(a) When the number of persons is eight—

- (i) Four members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, four members of the board, one of whom shall be a representative of the board of separate school trustees;
- (ii) Two persons, not members of the board, who are engaged as employees in the manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (iii) Two other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate;

(b) When the number of persons is twelve—

- (i) Six members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established six members of the board, one of whom shall be a representative of the separate school board;
- (ii) Three persons, not members of the board, who are engaged as employees in the manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (iii) Three other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate.

(2) The advisory agricultural or commercial committee shall be composed of eight persons, the members of which shall be appointed by the board as follows:—

Advisory
agricultural
or com-
mercial
committee,
how
composed.

- (a) Four members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, four members of the board, one of whom shall be a representative of the board of separate school trustees;
- (b) Four persons who are resident ratepayers of the local municipality or of the county or district in which the school is situate or the course is established who are not members of the board and who—
 - (i) In the case of an agricultural high school or agricultural course are actually engaged in agricultural pursuits; or
 - (ii) In the case of a commercial high school or commercial course are actually engaged in commercial pursuits.

(3) The advisory vocational committee provided for in subsection 3 of section 6 shall be composed of twelve persons, the members of which shall be appointed by the board as follows:—

Advisory
vocational
committee
how
composed.

- (i) Six members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustee, if any; and where a board of education is established, six members of the board, one of whom shall be a representative of the separate school board;
- (ii) Three persons, not members of the board, who are engaged as employees in the manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (iii) Three other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate.

Appoint-
ment of
members of
committee.

9.—(1) The first members of an advisory committee shall be appointed at the meeting of the board at which a school or department is established for which an advisory committee is to be appointed under this Act.

Tenure of
office of
members
who are
members of
Board.

(2) The members appointed under subclause (i) of clause (a) of subsection 1 of section 6 and subclause (i) of clause (b) of section 6 and clause (a) of subsection 1 of section 7 shall hold office until the expiry of the period for which they were elected or appointed to the board.

Tenure of
office of
other
members.

(3) The term for which the other members of the committee shall respectively hold office shall be fixed by the board, but shall not exceed three years.

Filling
vacancies
caused by
retirement.

(4) The board, at its first meeting in each year after the establishment of the school or department, shall appoint a sufficient number of members from each class to fill the vacancies caused by the expiry of the term of office of members appointed from that class.

Filling
other
vacancies.

(5) Every vacancy upon a committee occasioned by death, removal or other cause shall be filled by the appointment by the Board of some person from the class in which the vacancy occurs, and every person so appointed shall hold office for the unexpired portion of the term of the member whose seat has become vacant.

Quorum.

(6) The presence of a majority of the members constituting a committee shall be a quorum at any meeting, and a vote of the majority of such quorum shall be necessary to bind a committee.

Chairman
voting.

(7) On every question other than the election of a chairman the chairman or presiding officer of the committee may vote with the other members of the committee, and any question on which there is an equality of votes shall be deemed to be negatived.

Co-opted
members.

10.—(1) An advisory committee may, at a meeting which has been specially called for that purpose and of which notice has been given in writing to all the members, appoint such additional members, hereinafter called co-opted members, as it may deem advisable, and members of the board may be so appointed; but

(a) In the case of an advisory industrial committee an equal number of the persons so appointed shall

be chosen from each of the classes mentioned in subclauses (ii) and (iii) of clauses (a) and (b) of subsection 1 of section 6; and

(b) In all cases the members so appointed shall belong to the classes from which persons not members of the Board may be appointed by the board to the committee.

(2) The term for which co-opted members of the committee shall respectively hold office shall be fixed by the committee, but shall not exceed three years. Tenure of office.

11. The members of an advisory committee appointed under this Act, including co-opted members, shall be British subjects, and shall be persons who, in the judgment of the board, are specially competent to give advice and other assistance in the management of the school or department under the charge of the committee. Qualification of members.

12.—(1) Subject to the approval of the Minister and the board, every advisory committee shall have authority to provide a suitable site and building and suitable equipment or to arrange for conducting the school or department in a high public, separate or continuation school building or other building in the municipality, and to prescribe courses of study and provide for examinations and diplomas. Powers of committee subject to approval of Minister and board.

(2) Subject to the approval of the board, the committee shall employ teachers and fix their salaries, report on every school or department under its charge, fix the fees payable by pupils in attendance, submit annually to the board at such date as the board may prescribe an estimate of the amount required to carry on the work of the school or department during the year, and generally do all other things necessary for carrying out the objects and intent of this Act with respect to any school or department under its management and control. Powers subject to approval of board.

(3) The board shall not refuse its approval of any report of an advisory committee without having given the committee an opportunity to be heard before the board and before any committee thereof to which such report may be referred by the chairman of the advisory committee or by another member of the advisory committee appointed for that purpose. When approval withheld.

(4) The secretary and other officers of the Board shall be the officers of the advisory committee. Officers of the committee.

Appoint-
ment of co-
ordinating
officers.

(5) Subject to the approval of the Minister an advisory committee may appoint one or more officers with qualifications approved by the Minister to bring to the attention of employers and employees the work of the schools or departments, and to make the necessary arrangements between employers, employees, and the schools or departments for the conduct of part-time or co-operative classes, and, in general, to act as a co-ordinating officer between the local industries and the schools or departments, and every such person so appointed shall be subject to the control of the advisory committee.

Cost of
establishing,
equipping
and main-
taining a
school.

13.—(1) Subject to the Regulations the estimates of the committee of the cost of establishing, equipping and maintaining the school or department under its management and control, when and so far as they have been approved by the board, shall be included in the estimates of the board submitted to the council of the municipality for the year.

How
provided.

(2) Subject to the Regulations, the cost of establishing and maintaining, and of making additions, alterations or permanent improvements to every school established under section 4 or under chapter 79 of the Acts passed in the 1st year of His Majesty's reign, shall be provided in the same manner as in the case of a high school.

Apportion-
ment of
legislative
grant.

14. Subject to the Regulations the Minister shall apportion all sums of money appropriated by this Legislature for the establishment and maintenance of schools or departments to which this Act applies.

Regulations.

15. The Regulations may provide as to any class of schools or departments for the qualifications of teachers, the courses of study, the character of the site, accommodations, and equipment, the maximum and minimum fees that may be charged to pupils, and generally as to any matter relating to the conduct and efficiency of the schools and departments not herein expressly provided for.

Establish-
ment of
evening
courses.

16. Subject to the Minister's approval where an advisory committee and the board of education or the board of public or separate school trustees so agree, evening courses in manual training and household science, art, agriculture or commerce under the charge of the Board shall thereafter be under the control and management of the advisory, industrial, agricultural or commercial committee as the case may be.

Establishing
evening
courses in
other
centres.

17. Subject to the approval of the Minister an advisory committee may also establish and conduct special evening

courses in any centre in the county outside of the district over which it has jurisdiction.

18. *The Industrial Education Act*, being chapter 276 of Rev. Stat. the Revised Statutes of Ontario, 1914; sections 9 and 10 of c. 276, 1915, c. 43, ss. 9, 10; 1917, *The School Law Amendment Act, 1915*; section 55 of *The Statute Law Amendment Act, 1917*; section 12 of *The School Laws Amendment Act, 1918*, and *The Technical Education Act, 1920*, are repealed. c. 27, s. 55; 1918, c. 51, s. 12; 1920, c. 102, repealed.

19. This Act shall come into force on the 1st day of July, 1921. Commencement of Act.

No. 245.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Vocational Education.

1st Reading	22nd April, 1921.
2nd Reading	1921.
3rd Reading	1921.

Mr. GRANT.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting the Town of Midland.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Act respecting the Town of Midland*, passed at the present session of the Assembly, is amended by adding the following as section 2a:—

2a.—The Corporation of the Town of Midland may by Agreement with G.T.R. by-law to be passed by a three-fourths' vote of all the members of the Municipal Council of the said Town of Midland, and without the assent of the electors qualified to vote on money by-laws, authorize the execution of an agreement with the Grand Trunk Railway Company of Canada, for establishing tourist traffic on the Georgian Bay through the said Town of Midland, for a period not to exceed five years, and may by such by-law authorize an expenditure in each of a period of not more than two years, of an amount not exceeding one mill in the dollar of the value of the rateable property of the Town of Midland according to the last revised assessment roll, for the purpose of erecting buildings, repairing, altering or erecting wharves, docks and other terminal facilities in the said Town of Midland on the property of the Corporation of the Town of Midland, the Crown, or the said the Grand Trunk Railway Company of Canada.

No. 247.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL

An Act respecting the Town of Midland.

1st Reading, 25th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. JOHNSTON (Simcoe.)

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Proof of Death of Soldiers and Sailors while on Active Service.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—This Act may be cited as *The Soldiers' and Sailors' Proof of Death Amendment Act, 1921*. Short title.

2. Section 2 of *The Soldiers' and Sailors' Proof of Death Act, 1919*, is amended by inserting after the word "Ottawa" ^{1919, c. 30, s. 2, amended.} in the third line thereof the words "or by any officer of His Majesty's naval, land or air forces authorized by regulation or otherwise to so sign" and by striking out all the words after the word "Force" in the fifth line thereof and substituting therefor the words "or of any other of His Majesty's naval, land or air forces and that he has been officially reported as having died, been killed in action, died of wounds or presumed to be dead, shall be sufficient proof of the death of such person for any purpose to which the authority of the Legislature of Ontario extends," so that the section will now read as follows:—

2. The production of a certificate in writing, signed ^{What to be deemed sufficient proof of death.} by the Adjutant-General, Acting Adjutant-General, or Director of the Record Office at Militia Headquarters, Ottawa, or by any officer of His Majesty's naval, land or air forces authorized by regulation or otherwise to so sign, stating that the person named in such certificate was a member of the Canadian Expeditionary Force or of any of His Majesty's naval, land, or air forces, and that he has been officially reported as having died, been killed in action, died of wounds or presumed to be dead, shall be sufficient proof of the death of such person for any purpose to which the authority of the Legislature of Ontario extends.

3. This Act shall come into force on the day upon which ^{Commencement of Act.} it receives the Royal Assent.

No. 248.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Proof of Death of
Soldiers and Sailors while on Active
Service.

1st Reading,	25th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. CARMICHAEL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Ontario Companies Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Companies Amendment Act, 1921.*

2. Part X of *The Ontario Companies Act* is amended by adding thereto the following as section 145a and section 145b:—

145a. A corporation may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney to execute on its behalf deeds to which it is a party in any capacity in any place situate within or without the Province of Ontario; and every deed signed by such attorney, on behalf of the corporation and under his seal, shall bind the corporation and have the same effect as if it were under the common seal of the corporation.

Power of attorney by corporation.

145b.—(1) A corporation may have for use in any territory, district or place not situate in the Province of Ontario an official seal, which shall be a facsimile of the common seal of the corporation, with the addition on its face of the name of every territory, district or place where it is to be used.

Power for corporation to have official seal for use abroad.

(2) A corporation having such an official seal may, by writing under its common seal, authorize any person appointed for the purpose in any territory, district or place not situate in the Province of Ontario, to affix the same to any

Authority to agent to affix seal.

deed or other document to which the corporation is party in any capacity in that territory, district or place.

Duration
of agent's
authority
to bind
corporation.

- (3) The authority of any such agent shall, as between the corporation and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is therein mentioned, then until notice of the revocation or determination of the agent's authority has been given to the person dealing with him.

Certifying
date and
period of
sealing.

- (4) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same.

Official
seal to
have same
effect as
common
seal.

- (5) A deed or other document to which an official seal is duly affixed shall bind the corporation as if it had been sealed with the common seal of the corporation.

3. Section 135 of *The Ontario Companies Act* is repealed and the following substituted therefor:—

Annual
statement
or return
of the
affairs
of the
corporation.

- 135.—(1) On or before the first day of February in each and every year every corporation, whether incorporated under the laws of Ontario or otherwise, which has its head or other office or is doing business, or any part thereof, in the Province of Ontario and not being a corporation liable to payment of taxes under *The Corporations Tax Act* shall, without notice or demand to that effect, make out, verify and deliver to the Provincial Secretary, as hereinafter required, a detailed statement or return containing as of the 31st day of December next preceding, correctly stated, the following information and particulars:—

Contents
of state-
ment or
return.

- (a) The name of the corporation;
- (b) The jurisdiction under the laws of which the corporation was incorporated;
- (c) The manner in which the corporation is incorporated, whether by special Act, or by Letters Patent, or otherwise, and the date thereof;

- (d) Whether the existence of the corporation is limited, by Statute or otherwise, and, if so, the period of its existence yet to elapse, and whether its existence may be lawfully extended;
- (e) Whether the corporation is a valid and subsisting corporation;
- (f) A concise and general statement of the nature of the business or objects of the corporation;
- (g) The names, residences and post office addresses of the president, secretary, treasurer, director, and manager of the corporation;
- (h) The name and post office address of the chief officer or manager in this province;
- (i) A list alphabetically arranged, of the persons who, on the 31st day of December next preceding, were shareholders of the corporation, and the residence and post office address of each such person; the number of shares held by each; and the amount, if any, paid thereon;
- (j) The location of the head office of the corporation, giving the street and number when possible;
- (k) The location of the principal office in Ontario where the head office is situated outside of Ontario;
- (l) The date upon which the last annual meeting of the corporation was held;
- (m) The amount of the bond or debenture debt of the corporation;
- (n) A detailed statement of the real estate owned by it situated within the province, where situate and the value thereof;
- (o) The total value of the real estate situate without this province;

(p) The total value of the personal property owned by the corporation:—

(i) Situate within this province;

(ii) Situate outside this province;

(q) A statement showing the gross receipts and earnings of the corporation during the twelve months immediately preceding the said 31st day of December, arising:—

(i) From business done wholly within this province;

(ii) From business done partly within and partly without this province;

(iii) From business done wholly outside this province;

And in the case of a corporation having share capital, in addition,

(r) The amount of the capital stock of the corporation, and the number of shares into which it is divided;

(s) The number of shares issued and allotted and the amount paid thereon;

(t) The par value and market value, or if there be no market value, the actual value of its shares of stock;

(u) The amount of dividends, if any, paid upon each share of its stock during the twelve months immediately preceding the said 31st day of December;

(v) The total amount of shares issued as preference shares;

(w) The total amount paid on such shares;

(x) The total number and amount of share warrants and the names, residences and post office addresses of the persons to whom the same were issued;

- (y) The number of shares, if any, issued as consideration for any transfer of assets, goodwill, or otherwise, and the extent to which the same are paid; if none are so issued, this fact to be stated;
- (z) Such other information as may be required by Order-in-Council, a copy of which Order-in-Council shall be published in *The Ontario Gazette*;

If the corporation is a mining company to which Part XI is made applicable,

- (aa) The number of shares sold or otherwise disposed of at a discount or premium;
- (bb) The rate at which such shares were sold or disposed of;
- (cc) Whether a verified copy of the by-laws, if any, providing for the sale of shares at a discount or otherwise was sent to the Provincial Secretary;
- (dd) The date or dates upon which such by-laws, if any, were passed and confirmed.

- (2) A duplicate of such statement or return with the affidavit of verification shall be posted up in a conspicuous position in the head or principal office in Ontario of the corporation on or before the 2nd day of February in each year, and may be inspected by any shareholder or creditor of the corporation; and the corporation shall keep the same so posted until another statement or return is posted up under the provisions of this Act. Posting of statement or return.

- (3) The statement or return of every corporation shall be verified by the affidavit of any two of the following officers of the corporation, namely, the president, vice-president, secretary, treasurer or manager, or such other person or persons connected with the corporation having a personal knowledge of the affairs of the corporation as the Provincial Secretary may require; and if the president or vice-president does not make or join in the affidavit, the reason therefor shall be stated in the affidavit. Verification thereof.

Transmis-
sion to
Provincial
Secretary.

- (4) The statement or return so verified shall, on or before the 8th day of February next after the time hereinbefore prescribed for making the statement or return, be transmitted to the Provincial Secretary.

Penalty for
default.

- (5) If a corporation makes default in complying with the provisions of this section, the corporation shall be liable to a penalty of \$20 for every day during which the default continues and the corporation shall also be liable to a tax of double the amount for which it would have been liable under section 138 of this Act, and any penalty or such double tax may be recoverable in any court of competent jurisdiction by action at the suit of the Crown to be tried by a judge without a jury. In any such action the Crown shall have the same right, either before, during or after the trial, to require the production of documents, to examine parties or witnesses or take such other proceedings in aid of the action as a plaintiff has or may take in an ordinary action.

Corpora-
tions in-
corporated
before
1st July,
1907, etc.

7 Edw. VII,
c. 34.

- (6) Corporations incorporated before the 1st day of July, 1907, under any Act repealed by *The Ontario Companies Act, 1907*, except chapter 191 of the Revised Statutes of Ontario, 1897, and Acts consolidated therewith for which that Act was substituted, shall make such statements or returns under this section as are required from corporations without share capital.

Provincial
Secretary
may en-
large time.

- (7) The Provincial Secretary may at his discretion and for good cause enlarge the time for making and delivering any such statement or return.

Transfer
to or by
corporation
in arrears
not to be
registered.

- (8) No registrar of deeds or land titles officer shall register any instrument made by or in favour of, or purporting to confer any interest in land, whether by way of caution, certificate or otherwise, upon any corporation regarding which he shall have received notice in writing from the Provincial Secretary that such corporation is in arrears in respect to any such statement or return or any tax or fee payable with such statement or return.

4. Section 159 of *The Ontario Companies Act* is amended by deleting the word "he" in the fifth line thereof and substituting therefor the words "the Provincial Secretary."

No. 249.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Ontario Companies
Act.

1st Reading,	25th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. NIXON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Mortmain and Charitable Uses Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mortmain and Charitable Uses Amendment Act, 1921.* Short title.

2.—(1) The Lieutenant-Governor in Council may make regulations respecting:— Regulations by Order-in-Council.

(a) The evidence required, upon the application for a license in mortmain under the provisions of *The Mortmain and Charitable Uses Act*, as to the creation of the corporation, its powers and objects and its existence as a valid and subsisting corporation; Evidence upon application.

(b) The appointment and continuance by the corporation of a person or corporation as its representative in Ontario on whom service of process, notices or other proceedings may be made, and the powers to be conferred on such representative; Service of process.

(c) The forms, duration and extent of licenses, and the forms of powers of attorney, applications, notices, statements, returns and other documents relating to applications and other proceedings under this Act. Forms, duration, etc.

(2) The Lieutenant-Governor in Council may make orders as to particular cases where the general regulations may not be applicable or where they would cause unnecessary inconvenience or delay. Orders as to particular cases.

Proof to
be furnished
on applica-
tion.

(3) Upon the application for a license in mortmain the applicant shall establish to the satisfaction of the Minister, or such other officer as may be charged by him to report thereon, that the provisions of this Act and the regulations have been complied with; and the Minister, Deputy Minister or such other officer may, for that or for any other purpose under this Act, take evidence under oath.

Fees.

(4) There shall be paid to His Majesty for the public use of Ontario for every license under the said *The Mortmain and Charitable Uses Act* such fees as may be prescribed by the Lieutenant-Governor in Council.

Commence-
ment of
Act.

3. This Act shall come into force and take effect on the day on which it receives the Royal Assent.

No. 250.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Mortmain and
Charitable Uses Act.

1st Reading, 25th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. NIXON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

No. 251.

1921.

BILL

An Act to amend The Current Rate of Interest Act.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. Section 2 of *The Current Rate of Interest Act* is am- 1917, c. 8,
ended by inserting after the word “debentures” in the ^{s. 2,} amended,
tenth line thereof, the words “heretofore or”.

No. 251.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Current Rate of
Interest Act.

1st Reading, 25th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act for raising Money on the Credit of the Consolidated Revenue Fund.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding twenty million dollars (\$20,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, and for the carrying on of the public works authorized by the Legislature. Loan for \$20,000,000 authorized.

2. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council, and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon. Terms to be fixed by Lieutenant-Governor.

3. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum on the amount of such debentures or stock as specified in subsection 2 of section 4 of *The Provincial Loans Act*. Sinking fund. Rev. Stat., c. 21.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 252.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act for raising Money on the Credit
of the Consolidated Revenue Fund.

1st Reading, 25th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Provincial Loans Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Provincial Loans Act* is amended by adding thereto the following section:—

Rev. Stat.,
c. 21,
amended.

13. The Lieutenant-Governor in Council may provide for the manner of executing provincial securities, and that the signature of the Provincial Treasurer upon provincial securities and the coupons attached thereto may be lithographed or engraved, the securities being in such case countersigned by the assistant treasurer or such officer or officers of the Treasury Department as may be appointed for the purpose

Provincial
securities,
how
executed.

No. 253.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Provincial Loans
Act.

1st Reading,	25th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. SMITH.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend the Election Laws.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Election Laws Amendment Act, 1921*, and shall be read with and as part of *The Ontario Election Act*. Short title.
Rev. Stat.
c. 8.

Chief Election Officer.

2. The office of Clerk of the Crown in Chancery is abolished and the powers and duties heretofore exercised and performed by the Clerk of the Crown in Chancery to those which appertain to or are connected with elections to the Assembly shall hereafter be exercised and performed by the Chief Election Officer. Office of
Clerk of
the Crown
in Chancery
abolished.

3. Wherever in any statute or regulation the words "Clerk of the Crown in Chancery" appear the words "Chief Election Officer" shall be deemed to be substituted therefor. Chief
Election
Officer
substituted.

4. Allan Malcolm Dymond, of the City of Toronto, one of His Majesty's Counsel and Law Clerk of Public Bills for the Legislative Assembly, shall be Chief Election Officer, and shall not be removable from office at any time by the Lieutenant-Governor in Council except upon an address of the Assembly. Appoint-
ment and
tenure of
office.

5. The Chief Election Officer shall be paid an annual salary of \$, and such salary shall be a charge upon and shall be payable out of the Consolidated Revenue Fund and shall be payable *pro rata* for any period of less than one year. Salary.

6. The Chief Election Officer shall rank as deputy head of a department in the public service, and in addition to the exercise of the powers and the performance of the duties Rank in
public
service.
Powers and
duties.

with respect to elections which may now be exercised and performed by the Clerk of the Crown in Chancery, he shall

- (a) Consult and advise with the election boards throughout the province;
- (b) Supervise and instruct the returning officers, deputy returning officers and poll clerks in the performance of their duties by circular and otherwise;
- (c) Where necessary to personally visit and consult with the chairman of the election board and the returning officer with a view to facilitating the preparation of the lists and the carrying out of the provisions of *The Ontario Election Act* and amendments thereto, including the preparation of lists of voters in territory without municipal organization;
- (d) Give directions as to the course to be followed in any cases of emergency or other matters arising in the course of an election and for which no provision is made by law;
- (e) Engage such assistants as may be necessary in carrying out his duties and arrange for the remuneration of his assistants subject to the approval of the Lieutenant-Governor in Council;
- (f) Cause reports to be made to him from time to time of the progress of the work of the revision of the lists and other proceedings necessary to be taken before an election;
- (g) Prepare a pamphlet containing the election law consolidated to date and such instructions to officers as may be deemed requisite;
- (h) Arrange for the issue from time to time to the chairman of the board or to the returning officer of accountable warrants in cases where a disbursement of funds is required in advance of the final return;
- (i) See that either he or a competent assistant is accessible at all times in order to answer inquiries and give information to election officers and other persons interested in the election;

- (j) Report to the Assembly through the Speaker after an election any matters arising in the course of an election an account of which ought in his judgment to be submitted to the Assembly.

7. The Chief Election Officer shall continue to act as ^{To continue to act as} Law Clerk of Public Bills for the Assembly and shall perform the duties of that office as prescribed by the rules of ^{Law Clerk of Public Bills.} the Assembly.

8. The Chief Election Officer shall be paid his reasonable travelling and living expenses while absent from the seat of government on the business of his office and any sums so payable to him shall be a charge upon and be payable out of the Consolidated Revenue Fund. ^{Expenses of office.}

9.—(1) In the event of the death of the Chief Election Officer while the Legislature is not sitting, or of his inability or neglect to perform the duties of his office, a substitute ^{Substitute Chief Election Officer.} shall, upon the application of the Secretary of Ontario, be appointed by the Chief Justice of the Supreme Court, or in his absence by the senior judge of the Supreme Court then present at the seat of government.

(2) Upon the appointment of such substitute he shall ^{Powers and duties exercisable by substitute.} exercise the powers and perform the duties of the Chief Election Officer in his room and stead until the expiration of fifteen days after the close of the session of the Legislature next following unless the Chief Justice or the judge by whom the appointment was made sooner directs that such order be rescinded, and in the absence of both the Chief Justice and the senior judge the order appointing such substitute may be rescinded by any other judge of the said court.

(3) The remuneration to be paid to a substitute for the ^{Remuneration of substitute.} Chief Election Officer may be fixed by the Lieutenant-Governor in Council and shall be part of the general expenses of an election, if any, held during his tenure of office.

10.—(1) Except the Chief Election Officer and one ^{Staff.} assistant to be known as the Assistant Chief Election Officer, and one stenographer, all of whom shall be appointed by the Lieutenant-Governor in Council and may be persons already employed in the public service, there shall be no other permanent officers or employees appointed or paid in connection with elections.

(2) The Chief Election Officer shall from time to time ^{Temporary assistance.} appoint such temporary help as he may deem necessary to

perform the duties of his office, first, however, submitting to the Civil Service Commissioner the name and proposed salary payable to such appointee and obtaining a certificate that such salary is reasonable.

To be discharged on completion of election.

(3) All such temporary employees shall be discharged forthwith upon the completion of the business of the election for which they were respectively engaged.

Political Contributions.

1914, c. 6, repealed.

Rev. Stat. c. 8 amended.

Interpretation.

11. *The Political Contributions Act*, being chapter 6 of the Ontario Statutes, 1914, is repealed and in lieu thereof the following section is added to *The Ontario Election Act*:

173a.—(1) In this section,—

"Licensee."

(a) "Licensee" shall mean the holder of a license issued for the manufacture, sale or warehousing of liquor and shall include any individual, firm or corporation engaged in the manufacture, sale or warehousing of liquor in Ontario;

"Liquor Association."

(b) "Liquor Association" shall mean and include every association, society or body of persons promoting or assisting or furthering or protecting the trade in intoxicating liquor or any branch or part of such trade;

"Public Contractor."

(c) "Public Contractor" shall mean and include every person holding or enjoying, undertaking or executing, directly or indirectly, alone or with another, by himself or by the interposition of a trustee or third person, a contract or agreement with His Majesty or with any public officer or department or commission with respect to the public service of Ontario or under which any public money of Ontario is to be paid for any service, work, matter or thing and who by reason thereof is ineligible as a Member of the Assembly under the provisions of sections 11 and 12 of *The Legislative Assembly Act* and shall also include every corporation holding or enjoying, undertaking or executing direct, alone or with another, by itself or by the interposition of a trustee or third person any such contract or agreement.

- (2) Every licensee who, and every member of a liquor association which, and every public contractor who, directly or indirectly pays or contributes any sum of money or its equivalent in order to aid or promote or prevent the nomination or election of any person to the Assembly, or to any public office, or in order to aid, promote or defeat any political party or to influence or effect the vote of the electors of Ontario upon any question submitted to them, shall be guilty of an offence and shall incur a penalty equal in amount to the value of the payment or contribution, but in no case less than \$100. Penalty for licensees, etc., making contributions.
- (3) Every director, manager or officer of a corporation guilty of an offence under subsection 2 may be prosecuted with, and shall incur the like penalties as the corporation, but a director, manager or officer of the corporation and a member of an association who proves to the satisfaction of the court that he was not aware of the committing of such offence or that he did everything in his power to prevent its committal and was not a party to the same, shall not be liable to the penalties imposed by subsection 2. Officers of corporations.
- (4) Every person who, directly or indirectly, by himself or by any other person, solicits or receives any payment or contribution made in violation of subsection 2 shall incur the penalties provided by that subsection. Soliciting or receiving contributions.
- (5) Any person who aids or abets the committal of any offence against subsections 2 and 4 shall incur a penalty of not less than \$100 nor more than \$200. Aiding or abetting.
- (6) Subject to the provisions of subsection 3, the penalties imposed by this section shall be recoverable in the manner provided for the recovery of pecuniary penalties by section 200. Recovery of penalties.
- (7) Where an offence was committed with respect to the candidature or election of any person as a member of the Assembly, the same shall be a corrupt practice within the meaning of this Act and section 76 of *The Controverted Elections Act* shall apply thereto. Corrupt practice. Rev. Stat. c. 10.

No. 254.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend the Election Laws.

1st Reading, 27th April,	1921.
2nd Reading,	1921-
3rd Reading,	1921.

Mr. DRURY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to confirm a certain Agreement between the Hydro-Electric Power Commission of Ontario and the Corporation of the City of Guelph.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Guelph Railway Act*, Short title.
1921.

2. In this Act,—

Interpreta-
tion.

(a) "Commission" shall mean Hydro-Electric Power "Com-
mission."
Commission of Ontario;

(b) "Corporation" shall mean Municipal Corpora- "Corpora-
tion."
tion of the City of Guelph;

(c) "Railway" shall mean Guelph Radial Railway. "Railway."

3. The agreement set out in Schedule "A" to this Act, Agreement
confirmed.
dated the 8th day of December, 1920, and made between the Municipal Corporation of the City of Guelph of the first part, the Hydro-Electric Power Commission of Ontario of the second part, and the Guelph Radial Railway Company of the third part and approved by Order in Council dated the 27th day of April, A.D. 1921, is confirmed and declared to be legal, valid and binding upon the Municipal Corporation of the City of Guelph and the ratepayers thereof, the Hydro-Electric Power Commission of Ontario, and the Guelph Radial Railway Company, anything in any general or special Act of this Legislature or in any by-law passed under any such Act to the contrary notwithstanding, and on, from and after the 1st day of May, 1921, all the assets, undertakings and property of the Guelph Radial Railway shall be vested in the Commission free from encumbrances, charges and liabilities, and the said Commission shall

have and may exercise under and subject to the said agreement, all the powers, rights and privileges of the Guelph Radial Railway Company in connection with the construction, equipment, maintenance and operation of the said street railway within the City of Guelph, and in such other territory as may be necessary to enable the Commission to carry out the terms of the said agreement, and in addition thereto, shall, subject to the terms of the said agreement, have all the powers, rights and privileges which may be exercised by the Commission with respect to a railway constructed by the Commission under *The Hydro-Electric Railway Act of Ontario*.

Bond issue
by
Commission.

4.—(1) The Commission is authorized to issue bonds dated the 1st day of May, 1921, and bearing interest at the rate of six per cent. per annum, payable half-yearly, and maturing not more than twenty years from the said date, to the amount of \$150,000.

Bonds to be
a charge
upon rail-
way, etc.

(2) The bonds issued shall be a charge upon the railway and all the assets, rights, privileges, works, property and effects belonging thereto or held or used in connection therewith provided that with the approval of the Lieutenant-Governor in Council the Commission may dispose of any property not required for the purposes of the said railway and use or dispose of the whole or part of the proceeds thereof in expenditures on capital account, or may invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds on maturity.

Retirement
of bonds.

Increase of
bond issue.

(3) The Commission, with the consent of the Corporation, may from time to time increase the said bond issue as may be deemed necessary to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for the railway.

Application
of revenue
to sinking
fund for
retirement
of bonds.

(4) For the purpose of providing for the payment of such bonds and the interest thereon, the Commission shall, in each year after the expiration of ten years from the said date, out of the revenue of the railway, after payment of working or operating expenses, including the supply of electrical power or energy, and the cost of administration and the payments provided for in clause 2a of the said agreement and the annual charges for interest, set aside annually such sum as may be necessary to provide a sinking fund on a basis of not more than 40 years for the payment of all the bonds issued on account of such railway which shall be held for and applied towards the payment of such bonds at maturity, and the Commission shall have power from time to time to issue bonds under this Act for the purpose of pro-

viding for such additional moneys as may be necessary, with the accumulated sinking fund on hand, to repay the bonds previously issued when the same respectively mature, but no bonds shall be issued under the authority of this section maturing at a later date than the 1st day of May, 1971.

- (5) Sections 7 and 8 of *The Hydro-Electric Railway Act*, 1914, c. 31, ss. 7-8; and amendments thereto and section 5 of *The Hydro-Electric Railway Act*, 1920, c. 57, s. 5, Application, to be issued by the Commission under this section.

5.—(1) The Corporation is authorized to issue debentures to an amount not exceeding \$300,000, payable in fifty years from the 1st day of May, 1921, and bearing interest at the rate of six per cent. per annum, payable half-yearly at the Bank of Montreal at Toronto. Issue of debentures.

(2) On or before the 1st day of May, 1921, the Corporation shall issue and deposit the said debentures with the Commission, and is further authorized to and shall from time to time thereafter, upon the requisition in writing of the Minister issue and deposit with the Commission further similar debentures for the same amount as any increase of the bond issue of the Commission to cover the capital cost of extensions, improvement or additional works or equipment of the said railway, as provided in subsection 3 of section 4 Deposit of debentures of corporation with Commission.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet operating or working expenses including electrical power or energy and the cost of administration and the payments provided for in clause 2a of the said agreement and the annual charges for interest and sinking fund on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid on demand of the Commission by the Corporation, and any arrears of the Corporation shall bear interest at six per cent. per annum. If the Corporation shall make default in payment of any such deficit the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained. Where revenue insufficient.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and Deposit of debentures to make up deficiency.

shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

Debentures
to be
collateral
security
for bonds.

(5) All debentures issued and deposited with the Commission under this section shall be held by the Commission as collateral security for the bonds issued by the Commission under section 9 and for any payments required to be made by the Corporation or the Commission under this Act or the said agreements.

Application
of 1914,
c. 31.

6. Subject to the provisions of this Act and to the terms of the said agreement, the provisions of *The Hydro-Electric Railway Act, 1914*, and amendments thereto, shall *mutatis mutandis* apply to the purchase, construction, equipment, maintenance and operation of the said railway, to the same extent as if the said railway had been a railway purchased or constructed, equipped, maintained and operated by The Hydro-Electric Power Commission of Ontario under the provisions of *The Hydro-Electric Railway Act of Ontario*.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

This agreement, made the 8th day of December, 1920,

Between

The Municipal Corporation of the City of Guelph (hereinafter called "The Corporation") of the first part;

and

The Hydro-Electric Power Commission of Ontario (hereinafter called "The Commission") of the second part;

and

The Guelph Radial Railway Company (hereinafter called "The Guelph Railway") of the third part.

Whereas the Corporation owns and controls all the outstanding shares of the capital stock of the Guelph Railway, all of the said shares being fully paid up;

And whereas the Commission has furnished the Corporation with a report dated 1st November, 1919, as to the estimated cost of equipping and operating the railway;

And whereas the Corporation has offered to transfer to the Commission all the assets, undertakings and property of the Guelph Railway for the consideration hereinafter mentioned, and has requested the Commission to operate the same, and the Commission has agreed to acquire and operate the same as under The Hydro-Electric Railway Act;

And whereas the electors of the Corporation have assented to a by-law authorizing the Corporation to enter into this agreement with the Commission for the sale and operation of the railway, subject to the following terms and conditions:

And whereas the Corporation has issued debentures for three hundred thousand dollars (\$300,000.00) and deposited the same within the Commission;

Now this agreement witnesseth:—

Sale.

1. The Corporation agrees to sell and the Commission agrees to purchase all the assets, undertakings and property of every kind and nature belonging to the Guelph Railway or to which the Guelph Railway is entitled in connection with its business, free from liability, viz.:—

(a) All freehold and leasehold lands, easements and interests in lands, save and except the lands in the Township of Guelph known as "Riverside Park"; the lands in the Township of Puslinch known as "Puslinch Lake Property"; and that certain property to the south-west side and rear of the power house on Waterloo Avenue heretofore used as a winter recreation park, which said three parcels of property shall remain the property of the City of Guelph absolutely;

(b) All plant, machinery, rolling stock, works, buildings, fixtures, equipment, apparatus, furniture, stock-in-trade, supplies, stores, goods, chattels and effects;

(c) All franchises, patents, licenses, agreements and rights, and all documents, including title deeds, contracts, books of account, plans, records, and specifications;

(d) All the outstanding shares of the capital stock of the Guelph Railway fully paid up;

(e) All the property to which the Guelph Radial Railway is entitled in connection with its business, except cash, promissory notes, book accounts and other bills and accounts receivable, which may be retained by the Corporation.

2.—(a) The consideration shall be the sum of one hundred and fifty thousand dollars (\$150,000.00), payable, including interest at $4\frac{1}{2}$ per cent. per annum, in instalments of eleven thousand, seven hundred dollars (\$11,700.00) in each year for twenty (20) years in half-yearly payments, on 1st May and 1st November, the first of such half-yearly payments of five thousand, eight hundred and fifty dollars (\$5,850.00) to be made on first November, 1921;

(b) All current contracts, taxes, local improvements, rates, assessments, rents and insurance shall be adjusted as of the time of completion of this agreement, which shall be on the 1st of May, 1921, and the balance paid in cash by the Corporation to the Commission or by the Commission to the Corporation, as the case may be. If any estimate made on such adjustment shall, after completion, prove inaccurate, the excess or deficiency, when determined, shall be paid by the party liable;

(c) The Corporation agrees to pay to the Commission the value of all revenue tickets sold by the railway company prior to the said date for completion that are taken up for fare, or presented for redemption for a period of sixty (60) days after the said date for completion, forthwith upon the delivery of such tickets by the Commission to the Corporation. Provided that if this agreement shall not have received confirmation by the Legislature by 1st May, 1921, the date of completion shall be the date when such confirmation is obtained.

3. The Corporation covenants with the Commission:—

3. (a) That the assets, undertakings and property of the railway are free from all encumbrances, and that the Corporation will pay and settle all liabilities whether direct, indirect, contingent, accruing and accrued at the said date for completion of this agreement, and to indemnify the Commission from all claims in connection with the said assets, undertakings, and property, or in connection with injuries and damages arising prior to the said date;

(b) That until the said date for completion, the Guelph Railway will repair and keep in repair and good working order and condition, reasonable wear and tear only excepted, all assets and undertakings and property of the Guelph Railway and will, pending said date for completion, carry on the business of the Guelph Railway in the usual and ordinary manner;

(c) That the Guelph Railway will not, before the said date for completion, create any bonds, debentures or other securities, and that the Guelph Railway will not do, permit, or permit to be done, any act or thing whereby any of its rights or privileges may become forfeited or terminated or liable to forfeiture or termination, and that after execution of this agreement the Corporation will, upon request, furnish to the Commission any and all information in connection with the property and affairs of the Guelph Railway;

(d) That, upon the completion of the sale under this agreement, the Corporation will cause to be tendered the resignations of all officers of the Guelph Railway, or cause their employment to be terminated as of the said date of completion.

4. The Commission covenants and agrees with the Corporation as follows:—

(a) That notwithstanding any franchise heretofore granted to the Guelph Railway in respect of the streets in the City of Guelph, that the Commission will not at any time hereafter construct or operate the railway upon any streets in the City of Guelph other than those upon which the Guelph Railway is now operated and constructed without the consent of the Corporation being first obtained therefor, to be expressed by by-law of the Council of the City of Guelph;

(b) That the Commission will at all times in the future maintain and operate within the City of Guelph a ten minute street-car service upon the streets upon which the said railway is now operated, or such other service as may be agreed to by the municipality, and will at all times maintain in connection with the said service modern, well-equipped cars and rolling stock suitable for the accommodation of the travelling public;

(c) That the Commission will not move any through freight trains or cars over the streets of the City of Guelph and will only move local freight coming to or going from the City of Guelph after the hour of nine o'clock p.m. and before the hour of seven o'clock a.m., except upon express permission being obtained from the Corporation for the convenience of the business public of Guelph;

(d) To utilize the routes and property of the railway for all purposes from which it is possible to obtain a profit, and to permit an interchange of traffic with other railways wherever possible and profitable;

(e) That the Commission will institute a Sunday car service over the Guelph Railway suitable to the needs and wishes of the community, upon request therefor by the Corporation after a by-law in favour of Sunday cars has been passed by the municipal electors of the City of Guelph, giving their assent to such proposal;

(f) That the Commission will construct and operate a line of railway from some point upon their proposed line between Guelph and Hespeler to Puslinch Lake at the same time as the proposed line between Guelph, Galt and Hamilton and Elmira, Galt and Hamilton is constructed, in order to give the City of Guelph connections by the said system to Puslinch Lake, and the Corporation hereby covenants with the Commission that the Corporation will grant to the Commission sufficient land for right of way and terminal facilities out of the property now owned by the Corporation or by the Guelph Railway at Puslinch Lake;

(g) That the Commission will at all times construct and maintain suitable pavements upon all streets in the City of Guelph upon which the railway is operated, between the car tracks and for an additional space of eighteen inches on the outside of each rail. Such pavements to be in every way and at all times suitable for the purpose of making satisfactory highways, and to be subject to and under the approval of the Corporation's engineer.

Operation.

5. Subject to the provisions of The Hydro-Electric Railway Act, 1914, and amendments thereto, the Commission agrees with the Corporation:—

(a) To equip and operate the Guelph Railway so acquired from the Corporation;

(b) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(c) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and the users of the power lines;

(d) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(e) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(f) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating expenses (including electrical power), the cost of administration, and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(g) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(h) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

6. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:—

(a) To bear the cost of acquiring, equipping, operating, maintaining, repairing, renewing, and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures for three hundred thousand dollars (\$300,000), maturing in fifty years from the date of issue thereof, bearing interest at 5% (five per cent.) per annum, payable half-yearly at the Bank of Montreal, Toronto, Ontario. Such debentures shall be deposited with the Commission on the confirmation of this agreement, and may be held or disposed of from time to time by the Commission, as hereinafter provided, in such amounts, at such rates of discount or premium, and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement;

(c) Subject to paragraph 4a hereof, to furnish a free right of way for the railway and for the power lines of the Commission over any property of the Corporation upon being so requested by the Commission, and to execute such conveyance thereof or agreement with regard thereto as may be desired by the Commission.

7. The Commission is authorized to create or cause to be created an issue of bonds at a rate of interest not exceeding 6% per annum (six per cent.), payable half-yearly and maturing in not more than 50 years from the date of issue thereof, and to sell, pledge or otherwise dispose of the same on behalf of the Corporation. Such bonds to be charged upon and secured by the railway, and all the assets, rights and privileges, revenues, works, property and effects belonging thereto, or held or used in connection with the railway acquired, equipped, operated and maintained by the Commission under this agreement, and to be for one hundred and fifty thousand dollars (\$150,000), provided that the Commission may, upon obtaining the consent of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements, additional works or equipment of any kind for use on the railway. In order to meet and pay such bonds and interest as the same becomes due and payable, the Commission shall, in each year after the expiration of ten years from the date of the issue of the bonds, out of the revenue of the railway, after payment of operating expenses (including electrical power) and the cost of administration, set aside a sufficient sum to provide a sinking fund for the purpose of redeeming the same at maturity. Debentures issued by the corporations as above provided shall, to the extent of the par value of any bonds outstanding from time to time, be held or disposed of by the Commission as collateral security for payment of the said bonds and for payment of any deficit as hereinafter provided, it being understood and agreed that in the event of any increase of the said bond issue the Corporation shall, upon the request of the Commission, deposit with the Commission additional debentures as above described, to be held or disposed of by the Commission in the same manner.

8. In the event of the revenue derived from the operation of the undertaking being insufficient in any year to meet the operating expenses (including electrical power), the cost of administration and the annual charges for interest and sinking fund on the bonds, and for the renewal of any works belonging in whole or in part to the railway, such deficit shall be paid to the Commission by the Corporation upon demand. In the event of the failure of the Corporation to pay such deficit, it shall be lawful for the Commission, in the manner above provided, to sell, pledge or otherwise dispose of so much of the debentures held by the Commission as shall be necessary to supply such deficit, and the Corporation shall forthwith issue and deposit with the Commission debentures to the same amount, so that the debentures held by the Commission may be equal to the amount originally deposited. Any arrears by any corporation shall bear interest at the legal rate.

9. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof, by strike, lock-out, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

10. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to another, proper provision being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

11. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality, the Commission shall notify the applicant and the Corporation, in writing, of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discriminating in favour of the applicant, as to the cost incurred or to be incurred for or by reason of any such extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality, the corporation of which is not a party to this agreement, shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will be thereby increased or the revenue and accommodation be injuriously affected without the written consent of the Corporation.

12. The consent of any corporation required under this agreement shall mean the consent of the council of such corporations, such consent being in the form of a municipal by-law duly passed by the council of the corporation.

13. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and said Act shall be vested in the Commission in behalf of the Corporation, but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

14. This agreement shall continue and extend for a period of fifty years from the date hereof, and at the expiration thereof be subject to renewal, with the consent of the Corporation from time to time for like periods of fifty years, subject to adjustment and reapportionment as herein provided for the purpose of this agreement as though the terms hereof had not expired. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

15. This agreement shall not come into effect until it has been sanctioned by the Lieutenant-Governor in Council and by the Legislature of the Province of Ontario.

In witness whereof the Corporation, the Commission and the Guelph Railway have respectively affixed their corporate seals and the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
(Sgd.) A. BECK,
Chairman.

THE MUNICIPAL CORPORATION OF THE CITY OF GUELPH,
(Sgd.) CHAS. BURGESS,
Mayor.
(Seal, City of Guelph.) (Sgd.) H. J. B. LEADLAY,
Clerk.

THE GUELPH RADIAL RAILWAY COMPANY,
(Seal, The Guelph Radial Railway Company, 1895, 1903 Acts.) (Sgd.) H. J. McELROY,
President.
(Sgd.) H. J. B. LEADLAY,
Secretary.

No. 255.

2nd Session, 15th Legislature,
11 George V, 1921,

BILL.

An Act to confirm a certain Agreement between the Hydro-Electric Power Commission of Ontario and the Corporation of the City of Guelph.

1st Reading, 27th April,	1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. CARMICHAEL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to amend The Motor Vehicles Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Motor Vehicles Amendment Act, 1921*. Short title.

2. Subsection 3 of section 8 of *The Motor Vehicles Act* Rev. Stat., c. 207, s. 8, subs. 3, repealed. is repealed and the following substituted therefor:—

(3) Every such motor vehicle shall carry a lamp so Position and strength of lamp. placed and of such strength as to illuminate at all times between dusk and dawn the number placed on the back of the vehicle so that the whole of the said number may be read and distinguished at a distance of seventy-five feet.

3. This Act shall not come into force until a day to be Commencement of Act. named by proclamation of the Lieutenant-Governor in Council.

No. 256.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to amend The Motor Vehicles
Act.

1st Reading,	27th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. BRACKIN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Fair Rents

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fair Rents Act, 1921*. Short title.
2. This Act shall apply to any city, the council of which Application of Act. passes a by-law declaring that it shall apply.
3. In this Act—Interpretation—
 - (a) "Dwelling House" shall mean premises occupied for dwelling purposes other than a room in a hotel, lodging house or rooming house; "Dwelling house," "Landlord," "Tenant."
 - (b) "Landlord," "Tenant" shall include any person from time to time deriving title under the original landlord or tenant.
4. Upon the application in writing of the tenant of a dwelling house complaining that the rent charged or demanded by the landlord is unjust and excessive, the council, on the recommendation of the assessor or assessment commissioner, or of its own motion, may pass a resolution declaring that in its opinion the complaint is one which should be heard and determined by a judge of the county or district court of the county or district in which the city is situate, and if the resolution is passed, but not otherwise, the complaint may be heard and determined by such judge. Authority of council to pass resolution declaring rent in its opinion excessive; hearing by judge of county or district court.
5. A true copy of the resolution shall be filed in the office of the clerk of the county or district court and a notice of appointment for the hearing shall be taken out by the tenant and served on the landlord not less than five days before the day appointed for the hearing. Resolution to be filed with clerk of court; notice of appointment to be served not less than five days before hearing.

Judge may
fix what
he deems
to be a
fair rent in
excess of
which
landlord
shall not
be entitled
to charge.

6. The judge shall have power, upon a summary hearing of the parties and their witnesses, to make an order fixing what he deems to be a fair and just rent of the dwelling house, and thereafter while the order remains in force, the landlord shall not be entitled to charge, collect or receive rent in excess of that fixed by the order.

Order of
judge final,
but may be
rescinded
or varied
by such
judge after
six months.
on applica-
tion.

7. The order of the judge shall be final and conclusive and no appeal shall lie therefrom but it may be rescinded, altered or varied by such judge at any time after the expiration of six months from its date on the application of either party.

Penalty.

8. A landlord who charges, collects or receives rent in excess of that fixed by the order shall incur a penalty not exceeding \$100 and an additional penalty of \$5 for each day during which violation of the order continues, recoverable under *The Ontario Summary Convictions Act*.

Costs.

9. The judge may in his discretion award costs to either of the parties on the Division Court scale or may fix the amount of such costs.

Commence-
ment of

10. This Act shall come in force on the day on which it receives the Royal Assent.

No. 257.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Fair Rents.

1st Reading, 27th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. RAMSDEN.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to authorize the Purchase and Operation of Certain Radial Railways by the Hydro-Electric Power Commission of Ontario on behalf of the City of Toronto.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Toronto Radial Railway Act, 1921.* short title.

2. In this Act:—

Interpreta-
tion.

(a) "Commission" shall mean The Hydro-Electric Power Commission of Ontario. "Commis-
sion."

(b) "Corporation" shall mean the Municipal Corporation of the City of Toronto. "Corpora-
tion."

(c) "Railway" shall mean any one of the Divisions mentioned in section 4 (a). "Railway."

3. The Toronto Railway Company may sell to the Commission and the Commission may buy on terms to be agreed upon between them the shares, securities, and/or property and rights of The Toronto Power Company, Limited (formerly called the Toronto & Mimico Railway Company), the Toronto and York Radial Railway Company, the Schomberg and Aurora Railway Company, the Toronto and Scarborough Electric Railway, Light and Power Company and the Metropolitan Railway Company. Powers of
Toronto
Railway
Company
to sell
shares, etc.

4. Upon the completion of the said purchase the properties described and set out in schedules to the agreements in Schedule "A" to this Act as:— Vesting of
purchased
properties
in Commis-
sion.

(a) The Metropolitan Division, including for the purposes hereof, the Schomberg and Aurora Railway;

(b) The Mimico Division;

(c) The Scarboro Division,

shall be vested in the Commission on behalf of the Corporation, free from encumbrances, charges and liabilities, subject only to the agreements to be entered into under the authority of section 5.

Powers of
Commission
and
Corporation
to make
agreements.

5. The Commission and the Corporation are authorized to enter into agreements as of 1st December, 1920, in the form set out in Schedule "A" to this Act or with such variations thereof as may be approved by the Lieutenant Governor in Council, and to execute the same, and the said agreements shall be approved of by by-law of the Municipal Council of the Corporation, and when so approved, shall be signed by the Mayor of the Corporation and by the Treasurer thereof, and the Treasurer shall affix the seal of the Corporation thereto, and when so executed the said agreements shall be legal, valid and binding upon the Corporation and the ratepayers thereof, and upon the Commission and the ratepayers thereof and upon the Commission, anything in any general or special Act of this Legislature or in any by-law passed under any such Act to the contrary notwithstanding.

Vested
properties
to be
controlled,
equipped,
etc., by
Commission.

6. The properties acquired by and vested in the Commission on behalf of the Corporation under section 4 shall be controlled, equipped and operated by the Commission on behalf of the Corporation, and the Commission shall have and may exercise and perform the like powers, duties and obligations with respect to the said properties as in the case of a railway constructed or acquired, equipped and operated by the Commission under *The Hydro-Electric Railway Act, 1914*.

Agreements
with
municipal
corpora-
tions.

7.—(1) The Commission and the Corporations may agree with any municipal corporation through which any of the said railways pass or in which a part of the said railways is situate, for the admission of such municipal corporation as a party to the agreement for the acquisition and operation of the said railway or for the extension thereof in or through the territory of such municipal corporation upon such terms and conditions and subject to such contributions as if it were a party to the agreement mentioned in section 5 at the date hereof, but no such agreement shall be entered into until the same shall have been approved by the Lieutenant Gov-

error in Council and submitted to the municipal electors of the municipal corporation or corporations to be added as parties to the said agreement as provided by *The Hydro-Electric Railway Act, 1914*, with respect to an agreement for the construction or acquisition and operation of a railway by the Commission.

(2) Every such agreement shall provide for the issue of debentures by any such municipal corporation either in substitution for, or in addition to the debentures deposited with the Commission by the Corporation under section 11, and upon the execution thereof the agreements mentioned in section 5, shall be modified accordingly and shall remain in full force and effect subject only to such modifications.

Agreements to provide for issue of debentures.

(3) It shall not be necessary to submit any by-law for the issue of such debentures for the assent of the electors or observe any of the formalities provided by *the Municipal Act*.

By-law unnecessary.

8. The Commission and the Corporation shall, subject to the provisions of the agreements set out in Schedule "A" hereto, have the right for all time to maintain the railways described in the schedules to the said agreements in the locations and on the streets and highways set out in the said schedules.

Right of Commission and Corporation to maintain railways.

9.—(1) The purchase price for the said railways so to be acquired by the Commission shall not exceed \$2,375,000.00, and the Commission is authorized to issue bonds dated the 1st day of December, 1920, bearing interest at the rate of six per cent. per annum, payable half-yearly and maturing twenty years from the said date.

Limit of purchase price.

(2) The bonds issued shall be a charge upon the Metropolitan Division for \$1,875,000, on the Mimico Division for \$260,000, and on the Scarborough Division for \$240,000, and all the rights, assets, privileges, revenue, works, property and effects belonging thereto respectively, as set out in the schedules to the agreements in Schedule "A" to this Act, provided that with the approval of the Lieutenant Governor in Council the Commission may dispose of any property not required for the purposes of any of the said railways and use or dispose of the whole or part of the proceeds thereof in expenditures on capital account or may invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds at maturity.

Bond issue apportionment of charge.

Increase
of bond
issue.

(3) The Commission, with the consent of the Corporation, may from time to time increase the said bond issue as deemed necessary to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for the railway.

Application
of revenue
to sinking
fund for
retirement
of bonds.

(4) For the purpose of providing for the payment of such bonds and the interest thereon, the Commission shall, in each year after the expiration of ten years from the said date, out of the revenue of the railways, after payment of working or operating expense, including the supply of electrical power or energy and the cost of administration, and annual charges for interest set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than 40 years for the payment of all the said bonds, which shall be held for and applied toward the payment of such bonds, or any renewals thereof, at maturity and the Commission shall have power from time to time to issue bonds, under the provisions of this Act, for the purpose of providing for such additional moneys as may be necessary, with the accumulated sinking fund on hand, to repay the bonds previously issued, when the same respectively mature. Provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said 1st day of December, 1920.

Application
of 1914,
c. 31, ss. 7-8,
1920, c. 57,
s. 5.

(5) Sections 7 and 8 of *The Hydro-Electric Railway Act, 1914*, and amendments thereto, and section 5 of *The Hydro-Electric Railway Act, 1920*, shall apply to the bonds to be issued by the Commission under this section.

Application
of 1914,
c. 31, as to
acquisition,
construction,
etc., of
railways.

10. Subject to the provisions of this Act and to the terms of the said agreements, the provisions of *The Hydro-Electric Railway Act, 1914*, and amendments thereto shall, *mutatis mutandis* apply to the acquisition, construction, equipment and operation of the said railways, as in the case of a railway constructed or acquired by the Hydro-Electric Power Commission of Ontario under the provisions of *The Hydro-Electric Railway Act, 1914*.

Debentures,
how pay-
able.

11.—(1) The Corporation is authorized to issue debentures to the amount of \$2,375,000, payable in fifty years from the 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly as follows:—

\$1,875,000 for the Metropolitan Division;
\$260,000 for the Scarboro Division; and
\$240,000 for the Mimico Division.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall, from time to time thereafter, upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount as any increase of the bond issue of the Commission to cover the capital cost of extensions, improvements or additional works or equipment of the said railway, as provided in subsection 3 of section 9.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expenses, including electric power or energy and the cost of administration and the annual charges for the interest and sinking fund on the bonds and of the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid on demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of any such deficit the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this section shall be held by the Commission as collateral security for the bonds issued by the Commission under section 9, and for any payments required to be made by the Corporation under this Act or the said agreements.

(6) It shall not be necessary to obtain the assent of the electors to any by-law for the issue of the said debentures.

(7) The said debentures shall not be included as part of the debt of the Corporation in estimating the limits of its borrowing powers.

SCHEDULE "A."

Draft Agreement relating to the *Metropolitan Division*; similar Agreements to be made as to the *Scarboro Division* and as to the *Mimico Division*.

This Indenture made the first day of December, in the year of our Lord, one thousand nine hundred and twenty,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," of the first part;

and

The Corporation of the City of Toronto, hereinafter called the "Corporation," of the second part.

Whereas the Commission has at the request of the Corporation acquired for and on behalf of the Corporation certain properties of the Metropolitan Division of the Toronto and York Radial Railway Company, including for the purposes hereof the Schomberg and Aurora Railway Company, all as described and set out in Schedule "A" hereto, and hereinafter called the "Railway" to be controlled, equipped and operated under the terms of *The Hydro-Electric Railway Act, 1914*, and of a special Act authorizing this agreement;

And whereas the Corporation has requested the Commission to control, equip and operate and the Commission has agreed with the Corporation on behalf of the Corporation to control, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of the Corporation have voted in favour of authorizing the Corporation to enter into the necessary agreements with the Commission for acquiring the railway;

And whereas the Corporation has issued debentures for the amounts set forth in clause 2 *b* hereof, and has deposited the said debentures with the Commission;

Now therefore, this debenture witnesseth:

1. In consideration of the premises and of the agreements of the Corporation herein contained, and subject to the provisions of the said Acts and amendments thereto, the Commission agrees with the Corporation;

(a) To equip, and operate the railways on behalf of the Corporation, subject to clauses 11 and 12 hereof;

(b) To issue bonds, as provided in clause 3 hereof to cover the cost of acquiring the railway;

(c) To furnish as far as possible first-class modern and standard equipment for use on the railways, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railways consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e) To utilize the routes and property of the railways for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2b hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to the amount of \$1,875,000, maturing in fifty years from 1st December, 1920, and bearing interest at the rate of six per centum per annum, payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned. The said debentures are similar to debentures to be issued by the Corporation under the provisions of two other agreements between the parties hereto of even date herewith respecting the Scarboro Division and the Mimico Division of the Toronto and York Radial Railway, and the total amount of debentures to be issued by the Corporation under the three agreements, for the acquisition of the three railways is \$2,375,000;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$1,875,000, provided that the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use on the railway, and provided that with the approval of the Lieutenant Governor in Council the Commission may dispose of any property not required for the purpose of the railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses including the supply of electrical power or energy and the cost of administration and annual charge for interest set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than forty years for the payment of all the said bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof at maturity, and the Commission shall have power from time to time to issue bonds under the provisions of the said special Act for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said first day of December, 1920.

5. (1) The Corporation is authorized to issue debentures to the amount of \$1,875,000, payable in fifty years from 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall from time to time thereafter upon the requisition in writing of the Commission issue and deposit with the Commission further similar debentures for the same amount or any increase as provided in subsection 3 of section 9, of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expense, including the electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of such deficits the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and such terms and conditions as the Commis-

sion in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3, and for any payment required to be made by the Corporation under this agreement or the said Act.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provisions being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination of the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporation; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or in which a part of the railway is situate applies to the Commission for admission as a party to this agreement for the acquisition and operation of the railway or for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying municipality or municipalities in the form, so far as applicable, of this agreement and containing paragraph 1 (*m*) and (*o*); paragraph 2 (*e*) and paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant Governor in Council, and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject only to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof, be subject to renewal, with the consent of the corporation from time to time for like periods of fifty years. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed by the Corporation under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant Governor in Council.

13. This agreement shall not come into effect until it has been authorized by an Act of the Legislature of Ontario.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals under the hands of their proper officers.

SCHEDULE "A" (*a*).

METROPOLITAN DIVISION.

The Metropolitan Division, for the purposes of this agreement, shall consist of all the right-of-way, other lands and real estate, roadbed, bridges, trestles, culverts, fences, signs, track, track tools, poles and fixtures, distribution system, shops, carhouses, offices, stations, miscellaneous buildings, ballast pits, park and resort property, passenger cars, freight cars, service cars, locomotives, shop equipment, furniture, trucks, automobiles, horses, vehicles, stores, substations, substation equipment owned on the first day of December 1920, (1) by the Toronto and York Radial Railway Company and operated on that date as the Metropolitan Division thereof save and except all tracks, poles, lines and works situate upon the highways lying within the limits of the City of Toronto, and rolling stock known as cars Nos. 43 to 50 inclusive, and (2) by the Schomberg and Aurora Railway Company; the whole constituting a single track electric radial railway with sidings, spurs and all necessary appurtenances extending from the northerly limits of the City of Toronto on Yonge Street to the Village of Sutton, Ontario, a distance of 48.66 miles, with a branch from Schomberg and Aurora junction to Schomberg, a distance of 14.41 miles; and including certain real estate, car barns, shops, machinery, tools and equipment within the City of Toronto, certain parcels of real estate

outside of the said city, all as set out more particularly in the following schedule:

METROPOLITAN DIVISION OF TORONTO AND YORK
RADIAL RAILWAY.

REAL ESTATE IN NORTH TORONTO.

Lot 6 North side Birch Avenue, Toronto...	50 ft. x 138 ft.
Part Lot 5 North side Birch Avenue, Toronto.	25 ft. x 138 ft.
" 5 North side Birch Avenue, Toronto.	25 ft. x 138 ft.
" 4 North side Birch Avenue, Toronto.	16 ft. 8 in. x 138 ft.
" 4 North side Birch Avenue, Toronto.	16 ft. 8 in. x 138 ft.
" 4 North side Birch Avenue, Toronto.	16 ft. 8 in. x 25 ft.
" 1 North side Birch Avenue, Toronto.	60 ft. x 70 ft.
" 28 Lane west side Yonge St., Toronto,	62 ft. 6 in. x 100 ft.
	60 ft. x 68 ft.
	10 ft. x 138 ft.
" 7 and 8 South side Alcorn Avenue Toronto	28 ft. 5 in. x 80 ft.
" 6 and 7 South side Alcorn Avenue, Toronto	20 ft. 6 in. x 80 ft.
" 6 South side Alcorn Avenue, Toronto	20 ft. 7 in. x 80 ft.
" 5 and 6 Lane south side Alcorn Ave., Toronto	10 ft. x 80 ft.
" 5 South side Alcorn Avenue, Toronto	14 ft. 8 in. x 78 ft. 9 in.
" 5 South side Alcorn Avenue, Toronto	15 ft. 4 in. x 78 ft. 9 in.
" 4 South side Alcorn Avenue, Toronto	26 ft. 11 in. x 78 ft. 9 in.
" 4 South side Alcorn Avenue, Toronto	18 ft. x 78 ft. 9 in.
" 2 and 3 South side Alcorn Avenue, Toronto	50 ft. x 52 ft. 6 in.
" 67 and Lots 68 and 69 North side of Alcorn Avenue, Toronto	75 ft. x 78 ft. 9 in.
" 70 North side of Alcorn Ave., Toronto	31 ft. x 78 ft. 9 in.
Lot C and Part Lot B, North side of Alcorn Avenue, Toronto	45 ft. x 78 ft. 9 in.
Part Lot 1 North side of Alcorn Ave., Toronto	49 ft. 10 in. x 60 ft.
" 2 and 3 South side Walker Avenue, Toronto	23 ft. 10 in. x 87 ft. 4 in.
" 2 and 3 South side Walker Avenue, Toronto	36 ft. x 87 ft. 4 in.
Lot 69 and Part Lots 70 and F, North side Walker Avenue, Toronto	58 ft. x 20 ft. 9 in.
Lot C, South side Woodlawn Ave., Toronto..	19 ft. 5 in. x 150 ft.
" B, South side Woodlawn Ave., Toronto..	19 ft. 6 in. x 150 ft.
" A, South side Woodlawn Ave., Toronto..	20 ft. 4 in. x 150 ft.
Part Lot 22 North side Woodlawn Avenue, Toronto	28 ft. x 178 ft. 7 in.
" 22 North side Woodlawn Avenue, Toronto	39 ft. 3 in. x 178 ft. 7 in.
" 20 and Lot 21, West side Yonge St., Toronto	40 ft. x 100 ft.
Lots 25, 26, 27, 28 and 29, West side Yonge St., Toronto	167 ft. 10 in. x 131 ft.
Part Lot 24 and Lane, South side Farnham Avenue, Toronto	23 ft. x 167 ft.

BUILDINGS IN NORTH TORONTO.

- 18 Birch Avenue, semi-detached dwelling, two-storey red brick,
17 x 24 ft., with annex 26 x 13 ft.
16 Birch Avenue, ditto.
1208 Yonge Street, semi-detached store, two-storey brick, 14 x 60 ft.
1210 Yonge Street, semi-detached store, two-storey brick, 14 x 60 ft.;
furniture shop.

- 1212 Yonge Street, detached store, two-storey rough-cast and brick veneer, 20 ft. 6 in. x 38 ft.
 17 Walker Avenue, detached dwelling, two-storey brick, 20 x 22 ft.; occupied.
 10 Walker Avenue, detached dwelling, two-storey brick, 38 x 48 ft.
 1306 Yonge Street, detached dwelling, two-storey red brick, 27 x 31 ft. 6 in.; occupied.
 1312 Yonge Street, detached dwelling, two-storey white brick, 25 ft. 6 in. x 43 ft. 5 in., used by Toronto & York Radial as offices.
 11 Farnham Avenue, detached dwelling, two-storey red brick, 23 ft. 6 in. x 30 ft. 6 in.; with additions.

ROADWAY.

Extending from North Toronto City Limits on Yonge Street to a point distant approximately 21.15 miles near Mulock's Corners including bridges, trestles and culverts, track-work with all turnouts and sidings, poles and fixtures, distribution system with feeders and telephone system, and signs.

Roadway on private right-of-way extending from Mulock's Corners to Sutton, a distance of 27.51 miles, including bridges, trestles and culverts, track-work with all turnouts and siding, poles and fixtures, distribution system with feeders and telephone system, fences and signs.

ROADWAY MACHINERY AND TOOLS.

Roadway machinery and tool equipment in possession of maintenance of way forces on way and structures.

RIGHT OF WAY.

	Acres.
At Grand Trunk overhead crossings	6.74
Aurora	0.59
Yonge Street, to Newmarket, 7,489 ft.	14.181
Through Newmarket, 3,600 ft.	5.394
Newmarket to Jackson's Point	203.282
Jackson's Point to Sutton	11.201
Gravel Pit right-of-way to Oak Ridges.....	6.32
Interchange C.N.O. Ry., Richmond Hill	5.32

OTHER LANDS.

- Stable property, Toronto, Nos. 17 and 19 Birch Avenue.
 97 ft. x (88 ft. and 116 ft.).
 Car Barn property, Toronto.
 Yonge Street, No. 1430, 244 x 255 ft.
 St. Clair Avenue, 206 x 335 ft.
 Yonge Street, 150 x 189 ft.
 Substation property, York Mills, 150 x 147 ft.
 Station property, Richmond Hill, 58 x 137 ft.
 Bond Lake property, blocks B, C and D, 160.4 acres.
 Station property, Aurora, 80 x (198 and 275 ft.).
 Callaghan property, Roche's Point, 57.682 acres.
 Gravel Pit, Oak Ridges, 34.24 acres.

SHOPS, CARHOUSES, STATIONS, MISCELLANEOUS BUILDINGS AND STRUCTURES.

- 1430 Yonge Street, car barns 56 ft. x 202 ft. 6 in.; shops, 78 ft. x 101 ft. 6 in.; brick building, with concrete roof, built in 1906, with new addition now being finished.
 Mount Pleasant, paint and repair shop, 28 ft. 6 in x 73 ft., frame building.
 Bond Lake Car Barns, 107 ft. 8 in. x 41 ft. 2 in., white brick building, roof steel truss with slate.
 Newmarket, car barns, irregular, 7,348 square feet, frame building, galvanized corrugated iron siding, roof flat, felt gravel.

- Thornhill Switch (Stop 42), shelter 10 ft. 1 in. x 5 ft. 9 in.; frame building on sills, shingle French roof.
- Lot 40 (Stop 47), shelter 10 ft. 2 in. x 7 ft. 11 in., frame building on sills, shingle French roof.
- Richmond Hill, Station and freight room, 33 ft. 2½ in. x 22 ft. 2½ in. frame building, shingle roof.
- Bond Lake, Dwelling 24 ft. 4 in. x 16 ft. 2 in., 1½ storey frame building with 1 storey Ell 20 ft. 6 in. x 12 ft. 4 in.
- " Garage, 16 ft. 3 in. x 9 ft. 3 in. frame building, shingle roof.
- " Lavatory, 8 ft. 0 in. x 6 ft. 0 in., frame lean-to building, with shingle slope roof.
- " Double dwelling, 40 ft. 4 in. x 21 ft. 10 in., 1½ storey frame building, concrete foundation, shingle roof, with 1 storey Ell 21 ft. 6 in. x 12 ft. 4 in.
- " Barn, 23 ft. 3 in. x 19 ft. 7 in., frame building, shingle roof.
- " Dwelling, 30 ft. 6 in. x 18 ft. 6 in., frame building, 1½ storey concrete foundation, shingle roof and Ell, 14 ft. 0 in. x 12 ft. 6 in.
- " Cottage, 30 ft. 8 in. x 30 ft. 8 in., frame building, masonry foundation, shingle roof.
- " Platform shelter, 59 ft. 1 in. x 13 ft. 2 in., with frame cover 48 ft. 8½ in. x 26 ft. 6 in.
- " Dwelling, 26 ft. 3 in. x 18 ft. 4 in., 1½ storey frame building, shingle roof, and Ell 16 ft. 4 in. x 18 ft. 5 in., with store 14 ft. 5 in. x 17 ft. 0 in.
- " Barn, 30 ft. 2 in. x 24 ft. 3 in., frame building.
- " Cook house, 31 ft. 2 in. x 22 ft. 3 in., frame building, on posts.
- " Pavilion, 80 ft. 7 in. x 42 ft. 8 in., frame cover, shingle roof.
- " Pavilion annex, 37 ft. 2 in. x 28 ft. 6 in., frame cover, shingle roof.
- " Boat house, 45 ft. 9 in. x 24 ft. 5 in., frame building, shingle flat roof.
- Aurora Station, freight room and dwelling, 64 ft. 4 in. x 24 ft. 0 in., 2 storey frame building, covered with sheet metal roof, paper and shingles.
- Newmarket—Dwelling, 25 ft. 4 in. x 19 ft. 5 in., 1½ storey frame building, concrete foundations, with 1 storey Ell, 12 ft. 5 in. x 10 ft. 1 in., and lean-to, 10 ft. 8 in. x 18 ft. 4 in., slope roof.
- " Station, freight house and dwelling, 41 ft. 0 in. x 22 ft. 10 in., 2 storey frame building, shingle roof, with 1 storey freight room, 50 ft. 7 in. x 22 ft. 10 in., sheet metal siding, shingle and sheet tin roof.
- Sharon (Stop 74)—Shelter, old car.
- Doane Side Road (Stop 75)—Shelter and freight room, 20 ft. 6 in. x 12 ft. 4 in., frame building, shingle roof.
- Queensville—Station and freight room and dwelling, 36 ft. 2 in. x 19 ft. 0 in., 2 storey frame building.
- Colborne Crossing (Stop 77)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.
- Boags (Stop 78)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.
- Cowiesons (Stop 79)—Freight shed, 12 ft. 0 in. x 8 ft. 0 in., frame lean-to, slope roof.
- Ravenshoe (Stop 80)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.
- Peters (Stop 81)—Freight shed, 16 ft. 4 in. x 12 ft. 4 in., frame building, shingle roof.
- Keswick (Stop 83)—Station and freight room, 34 ft. 4 in. x 15 ft. 2 in., frame building; tool house, 16 ft. 4 in. x 12 ft. 5 in., frame building.
- Orchard Beach (Stop 85)—Shelter, old car.
- Boyers (Stop 86)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.

Roche's Point (Stop 87)—Shelter, 15 ft. 8 in., frame building.
 Stop 87½—Platform.
 Base Line (Stop 88)—Shelter, 14 ft. x 7 ft., frame building.
 Hamilton's Crossing (Stop 89)—Shelter, 14 ft. x 10 ft., frame building.
 Brighton Beach (Stop 90)—Platform.
 Varney Road (Stop 91)—Platform.
 Eastbourne (Stop 92)—Shelter, 9 ft. 6 in. x 12 ft. 4 in., frame building, shingle roof.
 Indian Grove (Stop 92½)—Station and freight room, 32 ft. 4 in. x 16 ft. 4 in., frame building, on concrete posts, shingle roof.
 Willow Beach (Stop 95)—Shelter and freight room, 20 ft. x 16 ft., frame building, shingle roof.
 Willow Beach (Stop 95½)—Platform.
 Sunnyside (Stop 96)—Station and freight shed, 24 ft. 2 in. x 16 ft., frame building, shingle roof.
 Salvation Army (Stop 97½)—Shelter, 12 ft. x 16 ft., frame building.
 Glen Sibbald (Stop 98)—Platform.
 Jackson's Point (Stop 99)—Platform, shelter and freight room, frame cover to concrete platform, 32 ft. 6 in. x 51 ft., including freight room, 21 ft. 2 in. x 10 ft. 6 in., and office, 11 ft. x 12 ft. 2 in.
 Sutton (Stop 100)—Station, freight room and dwelling, 40 ft. 3 in. x 35 ft. 4 in., 2 storey frame building, sheet metal and brick first storey, and clapboard second storey, shingle roof.
 Birch Avenue—Stables, 24 ft. x 40 ft., frame building, with loft office, 12 ft. x 12 ft., frame building, one storey, freight shed, 21 ft. x 30 ft., brick building, with platform adjoining stables; waggon shed, 46 ft. x 30 ft., frame building.
 1422 Yonge Street—Freight office, 12 ft. x 28 ft., one storey frame building.
 1422 Yonge Street—Freight shed, 22 ft. x 30 ft., frame building; platform, 22 ft. x 32 ft.
 Mount Pleasant Store House—41 ft. 6 in. x 62 ft., 2 storey brick building.
 North Toronto Station and Ticket Office.

FURNITURE.

Furniture and fixtures in the following building:—

Offices of the Toronto and York Radial Railway, located at 84 King Street East, Toronto.
 St. Clair Avenue, Car Barns.
 Ticket Office and Waiting-room, North Toronto.
 Richmond Hill Station and Freight House.
 Aurora Station and Freight House.
 Newmarket Station and Freight House.
 Queensville Station.
 Keswick Station.
 Jackson's Point Station.
 Mount Pleasant Store-room.
 Sutton Station.
 At various points along line fifteen loading plates.

MISCELLANEOUS EQUIPMENT.

9 Motor trucks.
 6 heavy draft horses with harness.
 6 waggons and
 3 sleighs and stable equipment.

MATERIALS AND SUPPLIES.

All materials and supplies at the following places on December 1st, 1920:—

St. Clair Avenue Storehouse.
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Mount Pleasant Storehouse, C. & N.O. connection, S. & A. Jctn.
material yard.
Newmarket and various places along the line.

PASSENGER CARS.

19 Double truck, double end closed motor passenger cars.

FREIGHT AND EXPRESS CARS, SERVICE EQUIPMENT AND LOCOMOTIVES.

5 Single truck, miscellaneous cars.
41 Double truck miscellaneous cars and locomotives.

ELECTRIC EQUIPMENT FOR CARS.

General Electric No. 90 motors—50 h.p. 34.
General Electric No. 57 motors—50 h.p. 40.
General Electric No. 67 motors—40 h.p. 22.
General Electric No. 1000 motors—35 h.p. 6.
Westinghouse Electric No. 101 motors—40 h.p. 24.
Westinghouse Electric No. 112 motors—75 h.p. 4.

SHOP EQUIPMENT.

1 Pinion puller, complete (air)
1 Acetylene welding and cutting torch (complete).
1 Small lathe.
1 Field winding machine.
1 3-ton portable crane.
1 Clark and Derhill (Galt) 16 inches.
Jointer head table 22½ inches by 7 inches by 3 ft.
1 Band-saw frame.
1 160-ton wheel press.
1 Heavy axle and wheel lathe with chuck 18 feet bed. (London Mach. Tool.)
1 Bertram lathe 14 ft. bed with 21 inches swing.
1 Lathe with 8 ft. bed, with 20 inches swing.
1 Iron shaping machine (London Mach. Co.) 25-inch stroke.
1 Emery stand.
1 14-inch power hack saw.
1 Bolt cutting machine.
1 Radial drill 36-inch swing (London Mach. Tool Co.).
1 20-inch drill press.
1 Trip hammer (motor driven).
1 30 ft. Monorail (6 ft. 1 in) overhead crane.
1 Reavell Co., Ltd., quadruplex air compressor No. 2105.
1 Motor for above—65 B.H.P.—250 R.P.M. 110 amps., 500 volts.
1 Automatic switchboard for same (Bruce Peebles Co., Scotland).
1 Canadian Rand compressor, size O, No. 4787.
1 Motor for same, C. G. E. class—3-35-650, 35 h.p, form B., 60 amps., 500 volts, 650 r.p.m.
And all small tools, miscellaneous equipment, motor parts, control parts and other miscellaneous parts, air brake equipment, trucks, wheels on axles, miscellaneous car parts, store-room supplies and compressor parts in shops.

SUBSTATIONS AND SUBSTATION RAILWAY EQUIPMENT.

PROPERTY USED FOR RAILWAY PURPOSES.

York Mills Substation.

Brick building, 30 feet x 60 feet (approximate).

Railway Equipment.

2—500 k.w. induction motors, generator sets.
Switching equipment for above.

Bond Lake Substation.

Brick building, 20 feet x 28 feet and 100 feet x 100 feet.

Railway Equipment.

- 1—500 k.w. induction motor generator set.
- 1—Steam and motor-driven air compressor.
- Switching equipment for above.
- 1—D. C. armature (spare) at C. W. Co., in repairs.

Newmarket Substation.

Brick building, 40 feet x 80 feet.

Railway Equipment.

- 2—500 k.w. induction motor generator sets.
- Switching equipment for above.

Keswick Substation.

Frame building with sheet iron siding, 50 feet x 75 feet, and 10 feet x 10 feet.

Railway Equipment.

- 1—500 k.w. induction motor generator set.
- 1 Steam and motor-driven air compressor.
- Switching equipment for above.

SCHOMBERG AND AURORA RAILWAY.

Right of Way.

Right of Way—121,829 acres.

Other Lands.

- S. & A. Junction property—7.10 acres.
- Grand Trunk Interchange—7.37 acres.
- Sub-station, Kettleby—0.595 acres.
- Schomberg station yard—1.929 acres.

Roadway.

Roadway, extending from S. & A. Junction to Schomberg, including grading track work, with sidings and turnouts, bridges, trestles and culverts, distribution system, telephone system, fences and signs.

Roadway, Machinery and Tools.

Roadway, machinery and tool equipment in possession of gang on maintenance of way and structures.

Stations and Miscellaneous Buildings.

- Schomberg Junction—Station, 24 feet 6½ inches x 16 feet 7 inches, frame building, shingle roof.
- Freight house, 25 feet 5 inches x 15 feet 6 inches, frame building. Tool house.
- Eversley (Stop 160)—Shelter, 14 feet x 11 feet, frame building, shingle roof.
- Stop 163—Shelter, 14 feet x 11 feet, frame building, shingle roof, tool house.
- Kettleby (Stop 166)—Shelter and freight room, 19 feet 8 inches x 13 feet 10 inches.
- Schomberg—Station and dwelling, 33 feet 2½ inches x 21 feet, one storey brick building with one storey frame, Ell 17, 3½ feet x 17 feet 5 inches.
- Freight house, 28 feet 4 inches x 18 feet 3 inches, frame, tool house.

Furniture.

Furniture and fixtures in the following buildings:—

- Schomberg Junction freight house and Schomberg station and freight house.

Substation and Substation Railway Equipment.

Schomberg and Aurora sub-station.

Brick building, 21 feet x 30 feet.

Railway equipment.

1—500 k.w. induction motor generator set.

Switching equipment for above.

Materials and Supplies.

All materials and supplies stored along the line.

SCHEDULE "A" (b).

Draft agreement relating to the Mimico Division;

This indenture made the first day of December, in the year of our Lord, one thousand nine hundred and twenty,

Between:

The Hydro-Electric Power Commission of Ontario (hereinafter called the "Commission") of the first part,

and

The Corporation of the City of Toronto (hereinafter called the "Corporation"), of the second part.

Whereas the Commission has, at the request of the Corporation, acquired for and on behalf of the Corporation certain properties of the Mimico Division of the Toronto and York Radial Railway Company, all as described and set out in Schedule "A" (b) hereto, and hereinafter called the "Railway" to be controlled, equipped and operated under the terms of *The Hydro-Electric Railway Act, 1914*, and of a special Act authorizing this agreement;

And whereas the Corporation has requested the Commission to control, equip and operate, and the Commission has agreed with the Corporation on behalf of the Corporation to control, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of the Corporation have voted in favour of authorizing the Corporation to enter into the necessary agreements with the Commission for acquiring the railway;

And whereas the Corporation has issued debentures for the amounts set forth in clause 2 (b) hereof, and has deposited the said debentures with the Commission.

Now therefore, this indenture witnesseth:—

1. In consideration of the premises and of the agreements of the Corporation herein contained, and subject to the provisions of the said Acts and amendments thereto, the Commission agrees with the Corporation,

(a) To equip, and operate the railways on behalf of the Corporation, subject to clauses 11 and 12 hereof;

(b) To issue bonds, as provided in clause 3 hereof to cover the cost of acquiring the railway;

(c) To furnish as far as possible first-class modern and standard equipment for use on the railways, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railways consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e) To utilize the routes and property of the railways for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses, including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2 b hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission;—

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to the amount of \$260,000.00, maturing in fifty years from 1st December, 1920, and bearing interest at a

rate of six per centum per annum, payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned. The said debentures are similar to debentures to be issued by the Corporation under the provisions of two other agreements between the parties hereto of even date herewith respecting the Metropolitan Division and the Scarboro Division of the Toronto and York Radial Railway, and the total amount of debentures to be issued by the Corporation under the three agreements, for the acquisition of the three railways is \$2,375,000.00;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$260,000.00, provided that the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use on the railway, and provided that with the approval of the Lieutenant-Governor in Council the Commission may dispose of any property not required for the purpose of the railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in security of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses, including the supply of electrical power or energy and the cost of administration and annual charge for interest, set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than forty years for the payment of all the said bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof, at maturity, and the Commission shall have power from time to time to issue bonds under the provisions of the said Special Act for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said first day of December, 1920.

5. (1) The Corporation is authorized to issue debentures to the amount of \$260,000.00, payable in fifty years from 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall, from time to time there-

after upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount of any increase as provided in subsection 3 of section 9, of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expense, including the electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of such deficits the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3, and for any payment required to be made by the Corporation under this agreement or the said Act.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provisions being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination of the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected, without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the Council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporation; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or in which a part of the railway is situate applies to the Commission for admission as a party to this agreement for the acquisition and operation of the railway or for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying municipality or municipalities in the form, so far as applicable, of this agreement, and containing paragraphs 1 *m* and *o*; paragraph 2 *e* and paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant-Governor in Council and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject only to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof be subject to renewal, with the consent of the Corporation, from time to time for like periods of fifty years. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed by the Corporation under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

13. This agreement shall not come into effect until it has been authorized by an Act of the Legislature of Ontario.

In witness whereof the Commission and the Corporation have respectively affixed their Corporate Seals under the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

Chairman.

(Seal)

Secretary.

THE CORPORATION OF THE CITY OF TORONTO.

Mayor.

(Seal)

City Clerk.

MIMICO DIVISION.

The Mimico Division, as understood in this agreement, shall include all of the right-of-way, other lands and real estate, road bed, bridges, trestles, culverts, fences, signs, track, track tools, poles and fixtures, distribution system, shops, car houses, offices, stations, miscellaneous buildings, passenger cars, freight cars, service cars, shop equipment, furniture, stores, substations, substation equipment owned on the 1st day of December, 1920, by the Toronto & York Radial Railway Company, and operated on that date as the Mimico Division thereof and consisting of a single track line of electric radial railway with sidings, spurs, and all necessary appurtenances extending from the westerly limits of the City of Toronto, on the Toronto and Hamilton Highway to Port Credit, a distance of 8.37 miles, all as set out more particularly in the following schedule:

Right-of-Way.

At Mimico Creek, 2,756 ft.	2.71 acres.
New Toronto property, 37 ft. x 1,705 ft.	1.45 "
Long Branch (45 ft. and 50 ft.) x 1,416 ft. ...	1.52 "
Etobicoke Creek, 3,415 ft.	6.77 "

Other Lands.

Humber property.

Lake Shore Road and Queen St.	
344 ft. x (143 ft. and 95 ft.)	
75 ft. x 210 ft.	
63 ft. x 219 ft.	
25 ft. x 233 ft.	1.967 acres.

Roadway.

Extending from West Toronto city limits on Lake Shore Rd. to Port Credit, including bridges, trestles and culverts, track work with all turnouts and sidings, poles and fixtures, distribution system with feeders and telephone system, fences and signs.

Roadway, Machinery and Tools.

Roadway, machinery and tool equipment in possession of maintenance of way force on way and structures.

Furniture.

Furniture and fixtures in the following buildings:

- Foreman's office at car barns.
- Sunnyside despatching office.
- Waiting room at Sunnyside.

Passenger and Miscellaneous Cars.

17 motor passenger cars and 8 miscellaneous cars.

Stations and Miscellaneous Buildings.

Humber—Shelter, 12 ft. 5 in. x 8 ft. 8 in., frame building, shingle roof.

Shelter and candy shop, irregular shape, frame building.

Stop 14—Shelter, 10 ft. x 6 ft., frame lean-to.

" 18	"	"	"	"	"
" 29	"	"	"	"	"
" 31	"	"	"	"	"
" 35	"	"	"	"	"

Substations and Substation Railway Equipment.

Property used for railway purposes.

Humber substation—sheet iron building.

Railway equipment—2 500 k.w. induction motor generator sets.
Switching equipment for above.

Material and Supplies.

All materials stored along the line.

Motor Equipment for Cars.

General Electric, 67 motors, 40 h.p.	44
General Electric, 57 motors, 50 h.p.	28

Shop equipment.

72

All small tools and electrical equipment, air-brake equipment, trucks, miscellaneous car parts and miscellaneous store-room supplies in Sunnyside car barns.

SCHEDULE "A" (c).

Draft agreement relating to the Scarborough Division;

This indenture made the first day of December, in the year of our Lord, one thousand nine hundred and twenty,

Between:

The Hydro-Electric Power Commission of Ontario (hereinafter called the "Commission") of the first part,

and

The Corporation of the City of Toronto (hereinafter called the "Corporation"), of the second part.

Whereas the Commission has, at the request of the Corporation, acquired for and on behalf of the Corporation certain properties of the Scarborough Division of the Toronto and York Radial Railway Company, all as described and set out in Schedule "A" (c) hereto, and hereinafter called the "Railway" to be controlled, equipped and operated under the terms of *The Hydro-Electric Railway Act, 1914*, and of a special Act authorizing this agreement;

And whereas the Corporation has requested the Commission to control, equip and operate, and the Commission has agreed with the Corporation on behalf of the Corporation to control, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of the Corporation have voted in favour of authorizing the Corporation to enter into the necessary agreements with the Commission for acquiring the railway;

And whereas the Corporation has issued debentures for the amounts set forth in clause 2 b hereof, and has deposited the said debentures with the Commission.

Now therefore, this indenture witnesseth:—

1. In consideration of the premises and of the agreements of the Corporation herein contained, and subject to the provisions of the said Acts and amendments thereto, the Commission agrees with the Corporation,

(a) To equip, and operate the railways on behalf of the Corporation, subject to clauses 11 and 12 hereof;

(b) To issue bonds, as provided in clause 3 hereof to cover the cost of acquiring the railway;

(c) To furnish as far as possible first-class modern and standard equipment for use on the railways, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railways consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e) To utilize the routes and property of the railways for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses, including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2 b hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission;—

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to the amount of \$240,000.00, maturing in fifty years from 1st December, 1920, and bearing interest at a rate of six per centum per annum, payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned. The said debentures are similar to debentures to be issued by the Corporation under the provisions of two other agreements between the parties hereto of even date herewith respecting the Metropolitan Division and the Mimico Division of the Toronto and York Radial Railway, and the total amount of debentures to be issued by the Corporation under the three agreements, for the acquisition of the three railways is \$2,375,000.00;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$240,000.00, provided that the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use on the railway, and provided that with the approval of the Lieutenant Governor in Council the Commission may dispose of any property not required for the purpose of the railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in security of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses, including the supply of electrical power or energy and the cost of administration and annual charge for interest, set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than forty years for the payment of all the said bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof, at maturity and the Commission shall have power from time to time to issue bonds under the provisions of the said Special Act for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said first day of December, 1920.

5. (1) The Corporation is authorized to issue debentures to the amount of \$240,000.00, payable in fifty years from 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall, from time to time thereafter upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount of any increase as provided in subsection 3 of section 9, of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expense, including the electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of such deficits the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of

discount or premium and such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3, and for any payment required to be made by the Corporation under this agreement or the said Act.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provision being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination of the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the Council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporation; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or in which a part of the railway is situate applies to the Commission for admission as a party to this agreement for the acquisition and operation of the railway or for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying Municipality or Municipalities in the form, so far as applicable, of this agreement and containing paragraph 1 *m* and *o*; paragraph 2 *e* and paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant Governor in Council and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject only to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof, be subject to renewal, with the consent of the Corporation, from time to time for like periods of fifty years. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed by the Corporation under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant Governor in Council.

13. This agreement shall not come into effect until it has been authorized by an Act of the Legislature of Ontario.

In witness whereof the Commission and the Corporation have respectively affixed their Corporate Seals under the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

Chairman. (Seal)
Secretary.

THE CORPORATION OF THE CITY OF TORONTO.

Mayor. (Seal)
City Clerk.

SCARBORO DIVISION.

The Scarboro Division, as understood in this agreement, shall include all of the right-of-way, other lands and real estate, road bed, bridges, trestles, culverts, fences, signs, track, track tools, poles and fixtures, distribution system, shops, car houses, offices, stations, miscellaneous buildings, ballast pits, park and resort property, passenger cars, freight cars, service cars, shop equipment, furniture, stores, substations, substation equipment, owned on the 1st day of December, 1920, by the Toronto and York Radial Railway Company, and operated on that date as the Scarboro Division thereof, and consisting of a single track line of electric radial railway, with sidings, spurs, and all other necessary appurtenances extending from the easterly limits of the City of Toronto on the Kingston

Road to West Hill, a distance of 8.3 miles, together with certain parcels of real estate, all as set out more particularly in the following schedule:

Right-of-Way.

1.85 miles, 40 ft. wide—11.97 acres.

Other Lands.

Substation property—

Part of Lot No. 35, N. side Kingston Rd.
Scarboro Twp., 100 x 200—0.458 acres.

Car barn property—

Part of Lot No. 32, S. side Kingston Rd.
Scarboro Twp., 167 ft. x (180 ft. & 253 ft.)—0.75 acres.

Park property—

Part of Lot No. 21, S. side Kingston Rd.
Scarboro Twp., 791 ft. x 4,013 ft.—58.2 acres.

Farm near gravel pit—

Part of Lot No. 14, N. side Kingston Rd.
Scarboro Twp.—95 acres.

Roadway.

Extending from easterly limits of Toronto on the Kingston Road to West Hill, including bridges, trestles and culverts, track work, with all turnouts and sidings, poles and fixtures, distribution system, with feeders, telephone system, fences and signs.

Roadway, Machinery and Tools.

Roadway, machinery and tool equipment in possession of maintenance of way forces on way and structures.

Stations, Miscellaneous Buildings and Structures.

Stop 18—Car barns, 122 ft. x 60 ft., brick building, flat roof.

Stop 15—Shelter, 14 ft. 2 in. x 12 ft., frame lean-to building.

Hunt Club (Stop 17)—Shelter, 10 ft. x 10 ft., frame building, French roof.

Stop 20—Shelter, 12 ft. x 7 ft. 6 in., steel frame, galvanized iron siding.

Brimley Rd. (Stop 28)—Shelter, 7 ft. x 4 ft. 2 in., frame building.

Scarboro Heights (Stop 33)—Pavilion, 79 ft. 8 in. x 40 ft. 7 in., frame building; cook house roof, 16 ft. 2 in. x 14 ft. 2 in., frame building, Ell 12 ft. x 5 ft.

Stop 34—Shelter, 10 ft. x 10 ft., frame building.

Stop 35—Shelter, 10 ft. 4 in. x 10 ft. 3 in., frame building, French roof.

Scarboro Golf Club (Stop 38)—Shelter, 23 ft. 5 in. x 8 ft. 5 in., frame building, flat roof.

Sta. 357—Tool house, 16 ft. 4 in. x 12 ft., frame building.

Stop 44—Shelter, 10 ft. x 8 ft., frame building.

Furniture.

All furniture and fixtures contained in car barns.

Substation and Substation Railway Equipment.

Property used for railway purposes.

Scarboro Substation.

Frame buildings, 37 ft. x 20 ft. and 23 ft. x 15 ft.

Railway equipment.

1 500-k.w. induction motor generator set.

Switching equipment for above.

Materials and Supplies.

All materials and supplies stored at various points along the line.

Passenger, Service and Miscellaneous Cars.

2 single truck passenger cars.

6 double truck passenger cars.

4 miscellaneous cars.

Electric Equipment for Cars.

General Electric, 67 motors, 40 h.p.....	32
General Electric, 57 motors, 50 h.p.	4
Westinghouse 101B motors, 40 h.p.	2
	<hr/>
Total motors	38

Shop Equipment.

All small tools contained at Scarboro shops.

Materials and Supplies.

All electrical equipment, air-brake equipment, truck parts, miscellaneous car parts, and miscellaneous store-room supplies.

No. 258.

2nd Session, 15th Legislature,
11th George V, 1921.

BILL.

An Act to authorize the Purchase and
Operation of Certain Radial Rail-
ways by the Hydro-Electric Power
Commission of Ontario on behalf
of the City of Toronto.

1st Reading,	27th April, 1921.
2nd Reading,	1921.
3rd Reading,	1921.

Mr. CARMICHAEL.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

The Municipal Amendment Act, 1921.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding thereto the following as section 21a:—

Rev. Stat.
c. 192,
amended.

21a.—(1) Upon the application of the council of any town or village or of such number of the owners of any lands therein wholly used for farming purposes as shall represent at least three-fifths of the amount of the assessed value of all the lands proposed to be detached from such town or village the Municipal Board may, after hearing representatives of the town or village, and of the owners of such farm lands, and of the adjoining municipality to which it is proposed to annex the lands, make an order detaching such farming lands or any part thereof from the town or village and annexing the same to an adjoining municipality on such terms and conditions as to the adjustment of the assets and liabilities, and upon such other terms and conditions as may have been agreed upon between the municipalities interested, or in default of agreement as may be determined by the Board.

Authority of
Municipal
Board to
separate
farm lands
from towns
and villages.

- (2) If the interest of the land detached in the assets of the town or village from which they are detached exceeds its proportion of the liabilities thereof, that corporation shall pay to the corporation of the municipality to which the lands are annexed the amount of the excess, but if the land's proportion of such liabilities exceeds its interest in such assets the corporation of the municipality to which the lands are annexed shall pay to the corporation of the town or vil-

Adjustment
of assets
and liabilities
to be
determined
by the
Board.

lage from which the lands are detached the amount of the excess, and the order of the Board shall set out the amount to be paid by one municipality to the other accordingly.

Rev. Stat.,
c. 192,
s. 53 (1),
amended.

2. Subsection 1 of section 53 of *The Municipal Act* is amended by adding thereto the following clause:—

Disqualifica-
tion of cer-
tain persons
as members
of council.

(ee) A person other than the head of the council who is a member of a board or commission appointed or elected for the construction, management or control of an electrical railway, street railway or steam railway which is owned by, or leased to, or controlled by a municipal corporation, or by trustees, or by any board or commission acting for or on behalf of such corporation.

Force of
amendment.

(2) The amendment made by subsection 1 shall have effect notwithstanding the provisions of any general or special Act or any by-law of a municipal corporation.

Rev. Stat.,
c. 192,
s. 209 (2),
amended.

3. Subsection 2 of section 209 of *The Municipal Act* is amended by adding thereto the following:

Salaries of
members
of Board
of Control.

“and with the assent of the municipal electors, not exceeding for each member \$5,000 per annum.”

Rev. Stat.,
c. 192,
amended.

5. *The Municipal Act* is amended by adding the following as section 322a:—

Power to
use excess
land by way
of compensa-
tion to owners.

322a.—(1) Any land acquired or taken by a corporation in exercise of the powers conferred by any general or special Act in excess of the land actually required for the opening, widening, extension or straightening of a highway may be used in or towards making compensation by way of restitution to the owner of other land taken for or in connection with the work, and the corporation may lawfully exercise such powers in pursuance of an agreement to that effect with such owner or with a view to making or proposing to make such an agreement.

Offer to
transfer
excess land
by way of
compensa-
tion to be
considered
by
arbitrators;
award to
be binding.

(2) If in any arbitration proceeding to fix compensation for land taken by it the corporation shall offer to transfer or assure additional or other land to the owner by way of enlarging the remainder of his parcel or in substitution for his

parcel such offer shall be taken into account by the arbitrators and dealt with in the award, and if the award is based on such transfer being made the offer shall be binding on the corporation in the terms fixed by the award (subject to any right of appeal) and the offer and final award shall together constitute an agreement between the parties and the owner shall be entitled to have such additional or substituted land assured to him in accordance therewith.

- (3) In such case upon the application of the corporation or of any interested party the Municipal Board may make such orders to compel the taking by the corporation of such additional land for the purposes of the agreement and concerning the compensation payable thereon and as to the vesting of the title to the land in accordance with the agreement as may be necessary to protect and enforce the rights of all parties interested.

Power of
Municipal
Board to
order per-
formance of
agreement.

6.—(1) Subsection 3 of section 278 of *The Municipal Act* is amended by striking out the words “or a hospital” added thereto by 5 Geo. V. chapter 34, section 17.

Rev. Stat.,
c. 192,
s. 278 (3),
amended.

(2) Section 396 of *The Municipal Act* is amended by striking out the words “or a hospital” added thereto by 5 Geo. V. chapter 34, section 21.

Rev. Stat.,
c. 192, s. 396,
amended.

(3) Any by-law for granting a bonus in aid of a hospital which has, since the 1st day of January, 1920, been submitted to and received the assent of the majority of the electors who voted thereon and has heretofore been or may hereafter be passed by any municipal council shall be legal, valid and binding.

By-laws
to aid
hospitals
passed
since 1st
January,
1920, by
majority
of electors,
validated.

7. Paragraph 27 of section 398 of *The Municipal Act* is amended by adding after the word “establishment” in the second line the word “maintenance,” and by adding at the end thereof the following words, “whether such hospitals are in the municipality or in an adjoining municipality.”

Rev. Stat.,
c. 192, s. 398,
para. 27,
amended.

8. Section 398 of *The Municipal Act* is amended by inserting the following as paragraph 28b:—

Rev. Stat.,
c. 192, s. 398,
amended.

28b. For the establishment of or for granting aid to the establishment of air harbours or landing grounds in compliance with the “Air Regula-

Establish-
ment of air
harbours
and landing
grounds.

tions, 1920," as issued by the Air Board of the Dominion of Canada, and such other regulations as may be issued from time to time by the said Air Board, and for granting aid for aeronautical research work and for the development and general advancement of the science of aeronautics and the use of air craft.

(2) This paragraph shall come into force and take effect on the day upon which it receives the Royal Assent.

Rev. Stat.,
c. 192, s. 398,
amended.

9. Section 406a of *The Municipal Act* is amended by adding the following as paragraph 5:—

Membership
in National
Waterways
Association.

5.—For the corporation becoming a member of the National Waterways Association of Canada and paying the fees for such membership and for making contributions towards the expenses of such association and paying the expenses of delegates to any meeting of it or upon its business.

10. Paragraph 2 of section 398a of *The Municipal Act* as enacted by section 11 of *The Municipal Amendment Act, 1919*, is amended by striking out the words "with the assent of the electors qualified to vote on money by-laws" and by adding at the end thereof the following as clause a:—

(a) It shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws if the by-law is approved by a vote of two-thirds of all the members of the council.

Rev. Stat.,
c. 192, s. 399,
par. 37,
amended.

11. Paragraph 37 of section 399 of *The Municipal Act* is amended by striking out the words "or fruit" in the third line, and inserting in lieu thereof the words "bread or fruit."

Rev. Stat.,
c. 192,
s. 399,
amended.

12. Section 399 of *The Municipal Act* is amended by adding thereto the following as paragraphs 73 and 74:—

Coasting and Tobogganing.

Coasting
and
tobogganing.

73. For prohibiting or regulating coasting or tobogganing on the highways.

Spitting on Sidewalks, etc.

Spitting on
sidewalks,
in public
buildings,
etc.

74. For prohibiting spitting on sidewalks and pavements, and in the passages and stairways of and entrances to public buildings, and in buildings,

halls, rooms and places to which the public resort, in street cars and public conveyances and in such other public places as may be designated in the by-law.

13. *The Municipal Act* is amended by inserting after section 399 the following as section 399a:—

Rev. Stat.,
c. 192,
amended.

399a. By-laws may be passed by the councils of cities, towns and villages, and of townships abutting on an urban municipality;

By-laws
setting
apart dis-
tricts
reserved for
private
residences,
etc.

Establishing restricted districts or zones.

1. For prohibiting the use of land or the erection or use of buildings within any defined area or areas or abutting on any defined highway or part of a highway for any other purpose than that of a detached private residence for one family, or such further or other purposes of a more general nature as the by-law may provide.

2. For regulating the height, bulk, location, spacing and character of buildings to be erected or altered within any defined area or areas or abutting on any defined highway or part of a highway, and the proportion of the area of the lot which such building may occupy.

(a) No by-law passed under this section shall apply to any land or building which on the 1st day of July, 1921, is used for any purpose prohibited by the by-law so long as it is used as it was used on that day.

(b) Except as provided by clause c no by-law passed under this section shall be repealed or amended without the approval of the municipal board; but such approval may be given, as to the whole or any part of an area or highway affected, if it is shown to the satisfaction of the board that it is proper and expedient in view of:

(i) The purpose for which the original by-law was passed and the nature and class of occupancy and use of the land within the area or abutting on the highway at the time the by-law was passed;

- (ii) Any change which may since have taken place affecting its suitability for such occupancy or use; and
 - (iii) The desirability of the proposed repeal or amendment in the interests of the owners of the land in the district affected and of the community as a whole.
- (c) Without the approval of the municipal board the council acting on the report of its proper officers and after one month's notice by publication of its intention may enlarge or further restrict the use or uses established by the by-law or alter the building regulations as affecting any land within any such area or abutting on any such highway, by a by-law passed at any general or special meeting by a vote of two-thirds of all the members thereof.

Rev. Stat.,
c. 192,
s. 400 (3),
amended.

14. Section 400 of *The Municipal Act* is amended by inserting after clause *c* of paragraph 3 the following as paragraph 3a:—

Buildings—Heating

Regulation,
etc., of
heating
plants.

3a. For regulating, controlling and inspecting the installation of all hot water and steam heating plants.

Rev. Stat.,
c. 192, s. 400,
amended.

15. Section 400 of *The Municipal Act* is amended by inserting after paragraph 4a the following as paragraph 4b:—

Restriction
on use of
buildings
for purposes
for which
they are
structurally
unsuited.

4b. For regulating and governing the use of any building for purposes for which it may be structurally unsuited or which from the size or strength of its walls, supports or floors may render the same dangerous and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.

Rev. Stat.,
c. 192, s. 400,
pars. 9, 46,
repealed.

16. Paragraphs 9 and 46 of section 400 of *The Municipal Act* are repealed.

Rev. Stat.,
c. 192,
par. 45,
amended.

17. Clause *a* of paragraph 45 of section 400 of *The Municipal Act* is amended by inserting after the word "cement" in the fourth line thereof, the words "or bricks or tiles."

18. Paragraph *b* of subsection 3 of section 400 of *The Municipal Act* is amended by adding after the word "thereon," in the sixth line of said paragraph the following words, namely: "or in the case of the extension or improvement of waterworks where it is made to appear to the said board that the net revenue derived from such waterworks justifies the construction of such extension or improvement." Rev. Stat.,
c. 192, s. 400,
subs. 3,
amended.

19. Section 406 of *The Municipal Act* is amended by inserting after paragraph 7 the following as paragraph 7*a*:— Rev. Stat.,
c. 192, s. 406,
amended.

Lodging-Houses and Lodging-House Keepers.

7*a*. For licensing, regulating and governing lodging-houses and the keepers of lodging-houses, and for fixing the fee not exceeding \$1 to be charged for the license and for revoking any such license. Regulation
of lodging
houses and
their
keepers.

(*a*) For the purpose of this subsection a "lodging-house" shall mean any house or building or portion thereof in which persons are harboured or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in for any time less than a week, but shall not include a "standard hotel" within the meaning of *The Ontario Temperance Act*.

20. Section 409 of the said Act is amended by adding the following as paragraph 2*g*:— Rev. Stat.,
c. 192,
s. 409 (2),
amended.

2*g*. Paragraph 2 of this section shall apply to buildings used for clothes cleaning, pressing and dyeing businesses, hotels and saloons, billiard and pool rooms and bowling alleys, tea rooms, tailor shops, barber shops, printing establishments, banks, office buildings, sectarian orphanages, baby farms, private schools and seminaries of learning, but this paragraph shall not apply to a building which was on the 1st day of June, 1921, erected or used for any of such purposes so long as it is used as it was used on that day. Regulating,
etc., use
of buildings
for certain
purposes.

21. Subsection 1 of section 424 of *The Municipal Act* is amended by striking out the figures "\$5" in the fourth line thereof and substituting therefor the figures "\$8." Rev. Stat.,
c. 192, s. 424
(1) amended.

Rev. Stat.,
c. 192,
s. 425,
amended.
Remunera-
tion of
chairman of
committees.

22. Section 425 of *The Municipal Act* is amended by striking out the figures “\$300” in the third line thereof, and by substituting therefor the figures “\$500.”

Rev. Stat.,
c. 192, s. 428
amended.

23. Section 428 of *The Municipal Act* is amended by adding after the figures “5,000” in the third line thereof the words “and the council of every county,” and by striking out the words “except counties” in the eighth line.

Rev. Stat.,
c. 192,
amended.

24. *The Municipal Act* is amended by inserting after section 416a the following as section 416b:—

416b. By-laws may be passed by the councils of counties, cities and towns:

Licensing,
etc., dry
cleaners,
pressers,
etc.

1. For licensing, regulating and governing the business of dry cleaners, dry dyers, cleaners and pressers and persons engaged in those and similar businesses in which gasoline, carbon bisulphide, naphtha, benzine, benzol or other light petroleum or coal tar products or volatile or inflammable liquids are used.

License
fee.

2. For imposing and collecting a license fee from persons engaging in any such business.

Issue of
licenses.

3. For delegating to the architect or some other person the duty of issuing such licenses and signing the same on behalf of the municipality.

Authority of
architect,
etc., to vary
require-
ments in
certain
cases.

4. For authorizing the architect or some other person named to allow such variation from the standard requirements in the case of existing businesses as he may approve of where such variation will not, in his opinion, reasonably prejudice the safety of the public.

Rev. Stat.,
c. 192, s. 416,
par. 4,
repealed.

25. Paragraph 4 of section 416 of *The Municipal Act* is repealed.

Rev. Stat.,
c. 192, s. 460,
amended.

26. Section 460 of *The Municipal Act* is amended by adding thereto the following subsection:—

Non-
liability
for
damages
for
injuries in
certain
case.

(12) Where that portion of a highway prepared for vehicular travel is in a reasonable and ordinary state of repair, no condition whatsoever of that portion of the highway which is not within the portion prepared for vehicular traffic, shall

render the municipal corporation of a township or county liable for damages by reason of accident or injury sustained on any such highway by a horse or vehicle, or its contents, or by the owner, driver or other occupant of a vehicle.

- (a) That portion of a highway prepared for vehicular traffic shall not be deemed to include any part of an open ditch or open drain, nor any part of what is commonly known as the roadside.

27. Subsection 4 of section 460 of *The Municipal Act* is Rev. Stat., c. 192, s. 460 (4), amended. amended by striking out the words "thirty days" in the sixth line and substituting the words "ten days."

28. Subsection 3 of section 479 of *The Municipal Act* is amended by striking out the words "*The City and Suburbs Plans Act*" and inserting in lieu thereof the words "*The Planning and Development Act*."

29. *The Municipal Act* is amended by adding the following as section 504a:—

Formation of Police Villages in Provisional Judicial Districts.

504a.—(1) A locality in an organized township or in two or more adjoining organized townships in a provisional judicial district may be erected into a police village by order of the Ontario Railway and Municipal Board. Erection of police villages in provisional judicial districts.

- (2) The order may be made by the board on receipt of a petition signed by a majority of the freeholders of the locality whose names are entered on the last revised assessment roll, and by a sufficient number of the resident tenants of the locality whose names are entered on such roll to make up with such freeholders a majority of the whole number of freeholders and tenants whose names are so entered. Order of Railway Board on receipt of petition.

- (3) No police village shall be erected under this section until the locality described in the petition contains a population of not less than one hundred and fifty and has an area of not more than five hundred acres, but the board may increase the area of such village in the like Area of police villages in provisional judicial district.

manner and under the same circumstances as are set out in section 504 in the case of a police village situate in a county, and section 504 shall *mutatis mutandis* apply to proceedings under this section.

Provisions
of Act re
police vil-
lages in
counties
to apply.

- (4) All the provisions of this Act with regard to police villages in counties shall, so far as practicable, apply to a police village erected in a provisional judicial district.

Rev. Stat.,
c. 192,
s. 512 (2),
amended.
Rate of
commuta-
tion of
statute
labor.

30. Subsection 2 of section 512 of *The Municipal Act* is amended by striking out the figures "\$1" in the fifth line thereof and substituting therefor the figures "\$3."

No. 259.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

The Municipal Amendment Act, 1921.

1st Reading, 27th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. NIXON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

The Assessment Amendment Act, 1921.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 20 of section 5 of *The Assessment Act*, as amended by subsection 1 of section 1 of *The Assessment Amendment Act, 1920*, is amended by striking out the words "if such income does not exceed \$800, and the income of such person from all sources does not exceed \$1,500" in the last four lines thereof and substituting therefor the words "to the amount of \$800 where the income of such person from all sources does not exceed \$1,500." Rev. Stat.
c. 195, s. 5,
par. 20,
amended.
2. Clause *a* of subsection 1 of section 10 of *The Assessment Act* is repealed and the following substituted therefor: (1) amended Rev. Stat.
c. 195, s. 10,
(1) amended
 - (a) Every person carrying on the business of a distiller Distiller.

for a sum equal to 150 per cent. of the assessed value of the land occupied or used by him for such business, exclusive of any portion of such land occupied or used by him for the distilling of alcohol solely and only for industrial purposes, and for a sum equal to 60 per cent. of the assessed value as to such last mentioned portion.
3. Clause *c* of subsection 1 of section 10 of *The Assessment Act* is amended by inserting before the word "coal" in the seventh and fifteenth lines the word "retail." Rev. Stat.,
c. 195,
s. 10 (1),
clause c
amended.
4. Section 16 of *The Assessment Act* is amended by striking out the word "assessable" in the first line thereof. Rev. Stat.,
c. 195, s. 16,
amended.
5. Section 19a of *The Assessment Act*, as enacted by section 5 of *The Assessment Amendment Act, 1920*, is amended by striking out the figures "200,000" and inserting in lieu thereof the figures "100,000," so that the section will then read:— Rev. Stat.,
c. 195, s. 19a
(10-11 Geo.
V. c. 63, s. 5)
amended.

- 19a.—(1) In cities having a population of not less than 100,000, every person in receipt of an income liable to assessment shall within the time fixed by by-law of the council forward to the assessment commissioner a statutory declaration according to the form referred to in subsection 1a of section 18. of this Act, showing his total income from all sources during the current year, and in ascertaining such income subsection 2 of section 11 shall apply; provided, however, that this section shall not apply to persons who have made a return to the assessor upon request as provided by section 18;
- (2) The council may by the said by-law fix a different date for each ward for the filing of such declarations;
- (3) Such declarations may be made before the assessor or as provided in section 228.

Rev. Stat.,
c. 195,
amended.

6. *The Assessment Act* is amended by inserting after section 19a the following, as section 19b:

Agents, etc.,
of residents
in Ontario
to forward
statement
of income
of their
principals.

- 19b. Every agent, trustee, executor or person who collects or receives, or is in any way in possession or control of income for or on behalf of a person resident in Ontario shall, upon receipt of a notice from the assessor or Assessment Commissioner within ten days thereafter, deliver or mail to the assessor or Assessment Commissioner a statement in writing, setting forth the names and addresses of all such persons who are resident in the municipality who ought to be assessed for their income therein, together with the amount of income payable to him during the current year.

If such income is not a fixed amount or capable of being estimated for the current year, the income to be returned for the purposes of assessment shall be taken to be not less than the amount of the income received during the year ending on the 31st day of December then last past.

Rev. Stat.,
c. 195,
s. 61 (1),
amended.

7. Subsection 1 of section 61 of *The Assessment Act* is amended by adding thereto the following words: "if the only city in the county is the county town and the third member of the Court of Revision in any city, which is not the county town, shall be appointed by the municipal council of such city."

8. Section 118 of *The Assessment Act* is amended by inserting after subsection 1 the following, as subsection 1a: Rev. Stat., c. 195, amended.

(1a) Where any person makes application for the reduction or remission of taxes on a business assessment according to the provisions of subsection 1, the Court of Revision may direct that a proper proportion of the taxes be levied against the tenant who occupied the premises in the year in which the assessment was made, for the number of months during which the said tenant was in occupation, although the name of such tenant does not appear on the assessment roll in respect of said premises. Court of Revision may order tenant to pay taxes.

9. Section 228 of the said Act is amended by inserting after the word "before" in the second line the words "any assessor." Rev. Stat., c. 195, s. 228, amended.

No. 260.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

The Assessment Amendment Act, 1921.

1st Reading, 27th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. NIXON.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act respecting Public Improvements and Services in Certain Suburban Areas.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Suburban Area Development Act, 1921.* Short title.

2. In this Act:—

Interpretation.

(a) "Board" shall mean Suburban Service Board established under the provisions of this Act; "Board."

(b) "Municipal Service" shall mean and include sewage and sewage disposal, opening, widening, extending, paving, repairing and maintaining of a street or highway, street railway transportation, the supplying of light, heat or water for municipal purposes or for the use of the inhabitants, fire protection and police protection. "Municipal Service."

3. The council of a township adjacent to a city may by by-law set apart any part of the township lying within a distance of five miles from the boundary of the city as a suburban area and may provide for the election of a board consisting of five persons resident in the suburban area who shall be elected by the municipal electors within the suburban area in the same manner as nearly as may be as the members of a municipal council. Township, by-law for setting aside a suburban area.

4. The board shall be elected annually at the same time as the members of the township council. Annual election of board.

5. The board shall hold its first meeting at such time and place as shall be fixed by the by-law and shall be organized by the election of a chairman from among the Meetings of board.

members of the board and the appointment of a secretary of the board who may be one of the members thereof.

Agreements
between
municipal
corporation
and board.

6. The municipal corporation of the city and the board may enter into agreements from time to time:—

- (a) For the extension or supply to the suburban area or to any part thereof of any municipal service in the city;
- (b) Prescribing the terms upon which such municipal service shall be extended or supplied and the amount of any payments to be made therefor, and the times of payment, and the rates, if any, to be chargeable to the users of any such municipal service in the suburban area;
- (c) For the settlement of any disputes or matters of difference which may arise with respect to the extension or supply of any such municipal service within the suburban area by the board or by any person or persons agreed upon;
- (d) For the management, control and operation of any municipal service so extended or supplied in the suburban area by the board or by a joint body composed of representatives of the board and the corporation of the city, or by any other person or commission or body of persons agreed upon by the board and the corporation of the city;
- (e) For the levying of an annual special rate within the suburban area to provide the sums necessary to meet the cost of any municipal service so extended or supplied.

Effect of
approval of
Ontario
Railway
and Muni-
cipal Board
of agree-
ments.

7. The agreement shall not be acted upon or take effect until it has been submitted to and approved by order of the Ontario Railway and Municipal Board, and when so approved any agreement made or purporting to be made under the authority of this Act shall not be open to question in any action or other proceeding in any court, and any matters of difference arising with respect to the interpretation or operation of such agreement shall be determined by the Ontario Railway and Municipal Board.

Annual
estimates
to be sub-
mitted to
township
council.

8. Where an agreement has been entered into under the authority of this Act the board shall annually prepare an estimate of the sums required to be raised within the suburban

area to meet the payments called for under the agreement and shall submit the same to the council of the township.

9. The council shall cause to be levied in each and every year a special rate within the suburban area of all property liable to taxation therein to meet the sums so required, and the amount so raised shall be subject to the order of the board and shall be paid out of the treasury of the township from time to time as the board may direct upon a requisition signed by the chairman of the board. Special rate to be levied annually.

10. Where the agreement provides for the doing of any work in connection with the extension or supply of a municipal service under the provisions of *The Local Improvement Act* the council of the township shall pass all necessary laws and levy all special rates required to carry out the terms of the agreement. Extension or supply of a municipal service. Rev. Stat., c. 193.

No. 261.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act respecting Public Improvements
and Services in Certain Suburban
Areas.

1st Reading, 28th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. HENRY.

TORONTO:
PRINTED BY CLARKSON W. JAMES,
Printer to the King's Most Excellent Majesty.

BILL

An Act to make more Equal Provision for the cost of Hydro-Electric Power in Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Rural Hydro-Electric Distribution Act, 1921.* Short title.

2. There shall be established a fund to be known as the Hydro-Electric Power Extension Fund, hereinafter called the Fund, and the Treasurer of Ontario shall open in the books of the province an account to be known as the Hydro-Electric Power Extension Fund Account. Hydro-Electric Power Extension Fund.

3. There shall be placed to the credit of the said fund in such account annually at such time as the Lieutenant-Governor in Council may direct:— Amounts to be credited to fund.

(a) A sum equivalent to the total amount falling due to the province from the rentals of water powers since the 1st day of January, 1918, but not including rentals falling due under agreements entered into by the Commissioners of the Queen Victoria Niagara Falls Park for the development of power within the park;

(b) A sum equivalent to the revenue derived from the rentals payable or collectable under the several agreements between the Commissioners of the Queen Victoria Niagara Falls Park, and certain companies developing power in the Queen Victoria Niagara Falls Park after deducting any sums required to meet the charges and payments referred to in sections 21 and 24 of *The Queen Victoria Niagara Falls Park Act*;

(c) Such additional sums as may from time to time be declared by the Lieutenant-Governor in Council to be required for the purposes hereinafter mentioned.

4.—(1) Where Hydro-Electric power is distributed in any town having a population of less than 5,000, or in any Grants in reduction of cost of power.

township, incorporated village, police village, or in a rural power district under the provisions of *The Power Commission Act* and amendments thereto, and the cost of supplying such power to the town, township, incorporated village, police village, or rural power district exceeds \$40 per horsepower per annum and the works for the distribution of such Hydro-Electric power are owned or operated and controlled by a municipal corporation, or by a commission acting on behalf of the municipal corporation, or by the Hydro-Electric Power Commission of Ontario, there may be paid out of the Consolidated Revenue Fund to such municipality or commission, upon the order of the Lieutenant-Governor in Council, in any year, a sum equal to thirty per cent. of the amount by which the cost of the power exceeds \$40 per horsepower per annum, but the total amount of any grant under this section shall not exceed \$25 per horsepower per annum.

Extent of application of section.

(2) This section shall apply to a municipality or rural power district in which Hydro-Electric power is supplied as set forth in subsection 1 at the time of the passing hereof, and to a municipality or rural power district which may hereafter enter into a contract, agreement or arrangement for the extension of any existing system for the transmission of Hydro-Electric power and its distribution in such municipality or rural power district.

Grants in aid of distribution in rural power districts.

5. Where power is supplied to a rural power district under the provisions of *The Power Commission Act* and amendments thereto, there may be paid to the municipality or commission distributing the power in such rural power district in any year, upon the order of the Lieutenant-Governor in Council, a sum not exceeding fifty per cent. of the annual charges necessary to provide for the cost of constructing, erecting and maintaining in the rural power zone primary transmission lines and cables required for the delivery of power in such rural power district.

Grants payable out of Consolidated Revenue Fund.

6. The grants made under this Act shall be payable out of the Consolidated Revenue Fund and the sums required to be credited to the fund shall be chargeable to the Consolidated Revenue Fund, and every grant of money made under this Act shall be debited to the fund in the said account and the said account shall be so kept that at all times it shall show the amounts properly credited to the fund as provided by section 3 and all amounts chargeable thereto.

Regulations.

7. The Lieutenant-Governor in Council may make regulations for the better carrying out of the provisions of this Act.

Commencement of Act.

8. This Act shall come into force on the 1st day of June, 1921.

No. 262.

2nd Session, 15th Legislature,
11 George V, 1921.

BILL.

An Act to make more equal provision for
the Cost of Hydro-Electric Power in
Ontario.

1st Reading, 28th April, 1921.
2nd Reading, 1921.
3rd Reading, 1921.

Mr. CARMICHAEL.

BILL

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1921, and for the Public Service of the financial year ending the 31st day of October, 1922.

MOST GRACIOUS SOVEREIGN:

WHEREAS it appears by message from His Honour Preamble.
Lionel H. Clarke, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1921, and for the financial year ending the 31st day of October, 1922, and for other purposes connected with the public service, May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Thirty-nine million, three thousand eight hundred and six dollars and seventy-five cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the first day of November, 1920, to the thirty-first day of October, 1921, as set forth in Schedule "A" to this Act. \$29,003,-
806.75
granted
for year
ending 31st
October,
1921.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Twenty-nine million, two hundred and six thousand one hundred and fifty-eight dollars and sixty-eight cents towards defraying the several charges and expenses of the public service of this Province, not otherwise \$29,206,-
158.68
granted
for fiscal
year 1921-22.

provided for, from the first day of November, 1921, to the thirty-first day of October, 1922, as set forth in Schedule "B" to this Act.

Accounts
to be laid
before
Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1920-1921 and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1921-1922 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations
for
1920-1921
unexpended.

4. Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1921, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations
for
1921-1922
unexpended,
to lapse.

5. Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1922, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting
for ex-
penditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-
ment of
Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

Sums granted to His Majesty by this Act for the time and year ending on the thirty first day of October, one thousand nine hundred and twenty one and the purposes for which they are granted:

CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Lieutenant-Governor's Office . .	\$4,025 00	
Department of the Prime Minister and President of the Council	6,385 00	
Attorney-General's Department	16,050 00	
Lands and Forests Department	4,206 25	
Mines Department	4,256 00	
Public Works Department . . .	10,050 00	
Department of Public Highways	86,502 02	
Game and Fisheries Department	2,850 00	
Department of Labour	39,224 90	
Treasury Department	14,349 00	
Audit Office	14,866 66	
Provincial Secretary's Department	44,350 00	
Department of Agriculture . .	3,100 00	
Miscellaneous	4,650 00	
		\$251,864 83

LEGISLATION.

To defray expenses of Legislation \$86,615 00

ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice \$272,224 66

EDUCATION.

To defray expenses of:

Public and Separate Schools Education	\$636,013 75
Normal and Model Schools, Toronto	6,616 67

Normal and Model Schools, Ottawa	2,189 00
Normal School, London	1,600 00
Normal School, Hamilton	1,725 00
Normal School, Peterborough	1,400 00
Normal School, Stratford	1,450 00
Normal School, North Bay	3,100 00
English-French Professional Training Schools	7,965 00
High Schools and Collegiate Institutes	52,608 27
Public Libraries, Art Schools, Historical, Literary and Scientific Societies	15,950 00
Technical Education	489,175 00
Provincial and other Univer- sities	1,545,344 00
The Ontario School for the Deaf, Belleville	12,275 67
The Ontario School for the Blind, Brantford	1,800 00
Northern Academy, Monteith	58,980 00
Miscellaneous	66,787 00
	<hr/> \$2,904,979 36

PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville	\$25,500 00
Ontario Hospital, Cobourg	16,400 00
Ontario Hospital, Hamilton	64,900 00
Ontario Hospital, Kingston	18,200 00
Ontario Hospital, London	36,000 00
Ontario Hospital, Mimico	14,000 00
Ontario Hospital, Orillia	12,500 00
Ontario Hospital, Penetang- uishene	12,500 00
Ontario Hospital, Whitby	63,500 00
Ontario Hospital, Woodstock	10,800 00
Ontario Reformatory, Guelph	80,550 00
Ontario Reformatory, Indus- tries	71,400 00
Ontario Brick and Tile Plant, Mimico	5,000 00
Industrial Farm, Burwash	17,500 00
Industrial Farm, Fort William	2,800 00
Miscellaneous	7,826 00
	<hr/> \$459,376 00

AGRICULTURE.

To defray expenses of a grant in aid of Agriculture \$122,344 02

COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Immigration \$8,500 00

HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities \$111,093 40

MAINTENANCE AND REPAIRS OF GOVERNMENT AND
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Government House	\$800 00	
Parliament and Departmental Buildings	108,153 00	
Osgoode Hall	8,200 00	
Miscellaneous	23,816 00	
	<hr/>	\$140,969 00

PUBLIC BUILDINGS.

To defray expenses of:

Osgoode Hall \$21,500 00

Public Institutions:

Ontario Hospital, Brockville..	4,000 00
Ontario Hospital, Hamilton ..	66,500 00
Ontario Hospital, Kingston..	35,636 72
Ontario Hospital, London	11,000 00
Ontario Hospital, Mimico ...	10,000 00
Ontario Hospital, Orillia	13,500 00
Ontario Hospital, Whitby ...	393,000 00
Ontario Hospital, Woodstock..	3,500 00
Industrial Farm, Burwash ...	35,350 00

Educational:

Normal and Model Schools, Toronto	61,300 00
Normal and Model Schools, Ottawa	9,400 00

Normal School, London	2,570 00
Normal School, Hamilton ...	2,080 00
Normal School, Peterborough.	2,750 00
Normal School, Stratford	1,950 00
Normal School, North Bay ..	1,400 00
Training Schools	29,345 44
The Ontario School for the Deaf, Belleville	95,575 75
The Ontario School for the Blind, Brantford	9,366 20
Northern Academy, Monteith.	47,000 00

Agriculture:

Ontario Agricultural College..	222,400 00
Ontario Veterinary College ..	500 00
Horticultural Experimental Station, Jordan Harbor....	11,000 00

Districts:

Algoma	1,450 00
Kenora	300 00
Manitoulin	200 00
Muskoka	300 00
Nipissing	1,400 00
Parry Sound	38,400 00
Rainy River	2,000 00
Sudbury	36,600 00
Temiskaming	24,010 00
Thunder Bay	20,600 00
Miscellaneous	500 00

Total Public Buildings\$1,216,384 11

PUBLIC WORKS.

To defray expenses of Public Works..... \$295,150 00

DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour \$633,910 52

COLONIZATION ROADS.

To defray expenses of Construction and
Repairs

\$650,681 75

DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public
Highways

\$25,697 60

GAME AND FISHERIES.

To defray expenses of Game and Fisheries... \$62,656 50

ATTORNEY-GENERAL'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Attorney-General's
Department, Miscellaneous \$106,900 00

TREASURY DEPARTMENT—MISCELLANEOUS.

To defray expenses of Treasury Department,
Miscellaneous \$101,012 78

PROVINCIAL SECRETARY'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Provincial Secretary's
Department, Miscellaneous \$251,300 00

LANDS AND FORESTS.

To defray expenses on account of Lands and
Forests \$353,500 00

MINES.

To defray expenses on account of Mines.... \$47,200 00

REFUNDS.

To defray expenses on account of Refunds.. \$97,230 46

MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure..... \$13,203 43

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-
Electric Power Commission of Ontario.. \$29,347,700 00

THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY
COMMISSION.

To defray expenses on account of the Temis-
kaming and Northern Ontario Railway
Commission \$1,143,283 33

Total Estimates for Expenditure of 1920-
1921 \$39,003,806 75

SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-two and the purposes for which they are granted:

CIVIL GOVERNMENT.

To defray the expenses of the several Departments of Toronto:

Lieutenant-Governor's Office..	\$5,450 00
Department of the Prime Minister and President of the Council	32,250 00
Attorney-General's Department	156,350 00
Education Department	79,875 00
Lands and Forests Department	218,700 00
Mines Department	125,800 00
Public Works Department....	80,250 00
Department of Labour	377,000 00
Department of Public Highways	220,125 00
Game and Fisheries Department	56,425 00
Treasury Department	101,725 00
Audit Office	49,000 00
Provincial Secretary's Department	256,850 00
Department of Agriculture ..	117,800 00
Miscellaneous	25,175 00
	<hr/> \$1,902,775 00

LEGISLATION.

To defray the expenses of Legislation..... \$320,250 00

ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice 981,075 00

EDUCATION.

To defray expenses of:

• Public and Separate School,
Education \$3,128,865 00
Normal and Model Schools, Toronto 123,867 00

Normal and Model Schools,	
Ottawa	84,760 00
Normal School, London	42,490 00
Normal School, Hamilton	37,620 00
Normal School, Peterborough	38,750 00
Normal School, Stratford	37,000 00
Normal School, North Bay	57,950 00
English-French Professional	
Training Schools	60,755 00
High Schools and Collegiate In-	
stitutes	222,500 00
Departmental Library and	
Museum	17,600 00
Public Libraries, Art Schools,	
Historical, Literary and Sci-	
entific Societies	119,700 00
Technical Education	891,150 00
Superannuated Public and	
High School Teachers	70,150 00
Provincial and other Univer-	
sities	781,720 00
The Ontario School for the	
Deaf, Belleville	141,030 00
The Ontario School for the	
Blind, Brantford	95,634 00
Northern Academy, Monteith	44,980 00
Miscellaneous	38,200 00
	<hr/>
	\$6,034,721 00

PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville.	\$239,422 00
Ontario Hospital, Cobourg...	121,000 00
Ontario Hospital, Hamilton..	296,265 00
Ontario Hospital, Kingston..	195,305 00
Ontario Hospital, London....	282,887 00
Ontario Hospital, Mimico....	202,480 00
Ontario Hospital, Orillia	205,927 00
Ontario Hospital, Penetang-	
nishene	119,140 00
Ontario Hospital, Toronto....	197,667 00
Ontario Hospital, Whitby...	356,594 00
Ontario Hospital, Woodstock.	83,306 00
Ontario Reformatory	127,550 00
Ontario Reformatory, Indus-	
tries	170,400 00
Mercer Reformatory, Toronto	60,250 00

Mercer Reformatory, Industries	10,000 00
Industrial Farm, Burwash	183,674 00
Industrial Farm, Fort William	24,020 00
Miscellaneous	73,925 00
	<hr/> \$2,949,812 00

AGRICULTURE.

To defray expenses of a grant in aid of Agriculture	\$1,366,868 00
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COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Immigration	\$163,100 00
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HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities	\$789,300 00
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MAINTENANCE AND REPAIRS OF GOVERNMENT AND
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Government House	\$26,800 00
Parliament and Departmental Buildings	345,111 35
Osgoode Hall	51,875 00
Miscellaneous	61,600 00
	<hr/> \$485,386 35

PUBLIC BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings	\$100,000 00
Osgoode Hall	7,000 00
Public Institutions	241,000 00
Educational	190,250 00
Agriculture	154,600 00
Districts	217,600 00
Miscellaneous	177,000 00
	<hr/> \$1,087,450 00

PUBLIC WORKS.

To defray expenses of Public Works	\$180,833 33
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DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour \$1,462,500 00

COLONIZATION ROADS.

To defray expenses of Construction and Repairs \$107,300 00

DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public Highways \$1,163,020 00

GAME AND FISHERIES.

To defray expenses of Game and Fisheries . . \$466,400 00

ATTORNEY-GENERAL'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Attorney-General's Department, Miscellaneous \$408,500 00

TREASURY DEPARTMENT, MISCELLANEOUS.

To defray expenses of Treasury Department, Miscellaneous \$446,469 00

PROVINCIAL SECRETARY'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Provincial Secretary's Department, Miscellaneous \$4,150 00

LANDS AND FORESTS.

To defray expenses on account of Crown Lands \$1,388,050 00

DEPARTMENT OF MINES.

To defray expenses of Department of Mines . . \$128,000 00

REFUNDS.

To defray expenses of:

Education	\$1,500 00	
Lands and Forests	25,000 00	
Mines	2,500 00	
Succession Duty	88,000 00	
Miscellaneous	37,000 00	
		<hr/>
		\$154,000 00

MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure..... \$83,000 00

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-
Electric Power Commission of Ontario..\$6,943,199 00

THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY
COMMISSION.

To defray expenses on account of the Temis-
kaming and Northern Ontario Railway
Commission \$190,000 00

Total Estimates for Expenditure of 1921-
1922 \$29,206,158 68

